

**Title 2  
ADMINISTRATION**

**Chapters:**

- 2.04 Service of Process on County**
- 2.08 Office Hours**
- 2.10 Performance Measurement**
- 2.12 Maintenance of Permanent Records**
- 2.14 Public Access to Electronic Records and Information**
- 2.16 Administrative Offices and Executive Departments**
- 2.20 County Auditor**
- 2.22 Department of Community and Human Services**
- 2.24 Health Department**
- 2.26 Emergency Medical Services Division**
- 2.28 Membership on Boards, Commissions and Committees**
- 2.29 Natural Resources Boards, Commissions and Committees**
- 2.30 Women's Advisory Board**
- 2.32 Administrative boards**
- 2.34 Board of Appeals and Equalization**
- 2.35 King County Board of Health**
- 2.36 Committees**
- 2.37 Washington State Public Stadium Authority**
- 2.38 Washington State Major League Baseball Stadium Facilities**
- 2.39 Baseball Stadium - Independent Financial Review Committee**
- 2.40 King County Agriculture Commission**
- 2.41 King County Rural Forest Commission**
- 2.42 Harborview Medical Center**
- 2.43 Mental Health System**
- 2.45 King County Active Sports and Youth Recreation Commission**
- 2.46 Public Art Program and Public Art Commission**
- 2.48 King County Arts Commission**
- 2.49 Cultural Development Authority of King County**
- 2.50 King County Children and Family Commission**
- 2.51 King County Framework Policies for Human Services**
- 2.52 King County Office of Citizen Complaints/Tax Advisor**
- 2.56 Emergency Management**
- 2.58 Emergency Radio Communication System**
- 2.59 Public, Educational and Government Access Television Channels**
- 2.60 Public Defender**
- 2.64 Justice of the Peace**
- 2.68 Justice Court District Plan**
- 2.69 Superior Court of King County**
- 2.70 District Court – Merit Selection Process**
- 2.72 County Prisoners**
- 2.73 Recovery of Incarceration Costs**
- 2.80 Gifts, Bequests, and Donations to County**
- 2.84 International Trade Expansion and Economic Development**
- 2.88 Housing Authority – Federally Assisted Programs**
- 2.92 Safety and Worker's Compensation Program**
- 2.96 Purchasing**
- 2.98 Rules of County Agencies**
- 2.99 Fees Charged by County Agencies**
- 2.100 Code Interpretations of Development Regulations**

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**Chapter 2.04**  
**SERVICE OF PROCESS ON COUNTY**

**Sections:**

2.04.010 Service of summons upon council clerk.

**2.04.010 Service of summons upon council clerk.** For the purpose of service of summons on King County under provisions of RCW 4.28.080, the person to be served is the clerk of the county council. (Ord. 13, 1969).

**Chapter 2.08**  
**OFFICE HOURS**

**Sections:**

2.08.010 Office hours specified.

**2.08.010 Office hours specified.** All county and precinct offices shall remain open for the transaction of public business as follows:

Open on Monday through Friday of each week from eight-thirty a.m. to four-thirty p.m., except where accommodations can be made, as determined necessary by the county executive, to provide services to the public during the hours of eight a.m. to five p.m. through the use of staggered work shifts agreeable to employees and not in conflict with union contracts.

Closed on Saturdays, Sundays and all legal holidays. (Ord. 376 § 1, 1970).

**Chapter 2.10**  
**PERFORMANCE MEASUREMENT**

**Sections:**

2.10.010 Purpose

2.10.020 Definitions.

2.10.030 Development process.

2.10.040 Guidelines for developing mission statements, goals, objectives and performance measurements.

2.10.050 Oversight committee.

**2.10.010 Purpose.** The purpose of defining and implementing a system of performance measures for King County shall be:

A. Establishing clear and understandable outcomes that are accepted by policy makers for departments.

B. Seeking input from, and communicating to, the public and to county employees clear outcomes and expectations.

C. Establishing a dynamic internal process that will provide information to insure that outcomes are being accomplished.

D. Preparing and distributing to both the public and to policy makers a report on whether outcomes have been accomplished. (Ord. 11980 § 3, 1995).

**2.10.020 Definitions.** All words used herein shall have their common and usual meanings, except as otherwise specified below:

A. “King County” or “King County government” shall mean the council’s agencies and all departments, divisions, sections, units, programs, offices and agencies of the executive branch including the department of metropolitan services and all of its functional parts.

B. “Mission” and “Mission statement” shall mean the written statement of purpose establishing the reason for which an agency of King County government exists, which shall generally be consistent with the council-adopted goals and guiding principles for the new consolidated county government.

C. “Goal” shall mean a general statement of purpose which establishes the direction for a component of an agency’s mission.

D. “Objective” shall mean a statement of measurable outcomes and/or achievements within a timeframe, where applicable, which contribute toward the accomplishment of a goal.

E. “Performance measures” shall mean empirical standards which accurately reflect whether an objective has been accomplished. (Ord. 11980 § 2, 1995).

**2.10.030 Development process.** A performance measurement system will be initially devised for the department of transportation, the department of public safety and for the department of public health using the following process:

A. The departments shall with the executive identify proposed mission statements, goals and objectives, and shall have two months from the enactment of Ordinance 11980 (October 1995) to do so.

B. The departments and the executive shall solicit the input and feedback of the public and King County employees on mission statements and goals, and shall have a further eight months from the identification of proposed mission statements and goals to do so.

C. The executive shall propose to the council for its consideration and adoption mission statements and goals for the three named departments no later than three months after the solicitation of input and feedback from employees and the general public.

D. The executive shall report to the council, the public and employees in writing how objectives relate to and accomplish the goals. Objectives identified by the executive with the assistance of the general public and employees shall not require council adoption.

E. Upon the adoption of the mission statements and goals for each department by the council, and the formulation of objectives by the executive, the King County auditor shall review each department’s performance measures in relation to its mission, goals and objectives. Departments shall develop the measures and shall supply relevant data, noting its source. Further, goals and objectives shall be consistent with budgetary constraints and current funding levels.

F. Performance measures shall be circulated to the council and to the executive for comment prior to their implementation.

G. The departments shall work with the King County auditor to devise a way for reporting mission statements, goals, objectives, performance measures and results to the public and to policy makers annually. It shall be the responsibility of the executive branch to prepare and disseminate these annual reports to policy makers and the general public.

H. Performance measurement data reporting may be audited by the King County auditor for the purpose of verifying reported outcomes.

I. Any department or other functional unit of the executive branch may devise performance measurements provided that they shall adhere to the procedures, process, timeframes and reporting requirements contained in Ordinance 11980. (Ord. 11980 § 4, 1995).

**2.10.040 Guidelines for developing mission statements, goals, objectives and performance measurements.** The following guidelines shall be used to develop mission statements, goals, objectives and performance measurements:

- A. Objectives shall be clear, concise, achievable and understandable to the lay public.
- B. Documentation shall be maintained and provided to prove that stakeholders have been sufficiently consulted and involved.
- C. Objectives shall reflect the bulk of the departments' activities.
- D. Performance measurements shall be empirical and verifiable. (Ord. 11980 § 5, 1995).

**2.10.050 Oversight committee.**

A. An oversight committee shall be created to oversee and ensure the executive branch's implementation of performance measurements and adherence to the intent and requirements of Ordinance 11980. The oversight committee shall be comprised of: five representatives from the local business community having expertise in customer service and quality management; three representatives of King County government's organized labor organizations; one representative from non-union King County employees; one representative from the academic community with particular expertise in performance measurements; one representative from a jurisdiction presently using performance measurements; and two citizen-at-large representatives having a broad-based community involvement background.

B. Special consideration shall be given to nominees to the oversight committee recruited from the executive's various ad hoc task forces on government reinvention and betterment.

C. The purpose of this oversight committee shall be to convene quarterly to review and discuss the overall performance of King County's performance measurements system. The committee shall also review the system in relation to span of control, total quality management and other management reform initiatives.

D. Terms of membership shall be two years and shall be staggered consistent with the provisions of K.C.C. 2.28. The executive shall nominate the members of the oversight committee, in consultation with the council. The council shall confirm the proposed appointments by motion.

E. Staffing, and other related support, to the oversight committee shall be provided by the office of the King County auditor consistent with the requirements of K.C.C. 2.20.

F. The committee shall sunset after six years unless it is reauthorized by council action. (Ord. 11980 § 6, 1995).

**Chapter 2.12**  
**MAINTENANCE OF PERMANENT RECORDS<sup>2</sup>**

**Sections:**

- 2.12.005 Definitions.
- 2.12.010 Preparation of permanent records.
- 2.12.020 Storage and retrieval of records.
- 2.12.035 Archives and records management program.
- 2.12.040 Records Retention and Public Disclosure Manual.
- 2.12.050 Records of other agencies.
- 2.12.060 Retention of records.
- 2.12.070 Fee for copies of county budget.
- 2.12.080 Sale of copies of code.
- 2.12.090 Copies of public and official records – Policy.
- 2.12.110 Copy fees.
- 2.12.115 Electronic copies – Policy.
- 2.12.120 Recording of official and public documents – fees.
- 2.12.130 Non-statutorily required reports – Fees.
- 2.12.140 Severability.
- 2.12.160 Recorder's operation and maintenance fund.
- 2.12.170 Enhanced program for preserving, copying, maintaining and indexing documents.
- 2.12.180 Agency index of records, reports and manuals required.
- 2.12.190 Filing and availability of agency information.
- 2.12.200 Information exempt from public inspection.

**2.12.005 Definitions.**

A. "County records" means any document including any paper, correspondence, completed form, bound records book, photograph, film, sound or video recording, map, drawing, machine-readable material, or other document, regardless of physical form or characteristics, and including copies thereof, that have been made by or received by any agency of King County in connection with the transaction of public business.

B. "Archival records" are those designated as having continuing historical value by the Washington State Archives or King County archivist. (Ord. 10698 § 3, 1993).

**2.12.010 Preparation of permanent records.** The responsibility for preparation of permanent records of the proceedings of the King County council as required of the former county auditor by RCW 36.32.110 is defined by the County Home Rule Charter, Sections 220.30 and 220.40 to rest with staff established by the council. The council administrator, as established by the 1971 Appropriations Ordinance, is the employee responsible. (Ord. 695 § 1, 1971).

**2.12.020 Storage and retrieval of records.** All records of the King County council and records of the King County commissioners, prior to the establishment of the Home Rule Charter, other than office files and memoranda shall be either photographed, microphotographed, photostated or reproduced on film by the records and elections division. (Ord. 10698 § 1, 1993: Ord. 4714 § 1, 1979: Ord. 695 § 2, 1971).

**2.12.035 Archives and records management program.** An archives and records management program is hereby established in the records and elections division. The archives and records management program shall be responsible for:

- A. Maintaining a facility for storage of inactive and archival records.
- B. Establishing standards for records storage media to ensure continued public access to public records during their legal retention period and for preservation of archival information.

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<sup>2</sup>For the statutory provisions regarding county record keeping, see RCW 36.32.140 – 36.32.170.

C. Maintaining a directory to current records of county agencies, which shall serve as a public disclosure index as set forth in RCW 42.17. A directory of historical, noncurrent or obsolete records designated archival shall serve as an index to King County administrative history, as provided by RCW 40.14.

D. Preserving and providing public access to the archival records of King County. (Ord. 10698 § 2, 1993).

**2.12.040 Records Retention and Public Disclosure Manual.** Archives and records management shall be charged with the task of coordinating a Records Retention and Public Disclosure Manual. This manual shall include identifying and describing each county agency's record retention schedules and public disclosure designation. Upon its completion, this manual shall be made available by electronic means and in paper form. (Ord. 12485 § 4, 1996).

**2.12.050 Records of other agencies.** Records of agencies other than the county council shall consist of two categories:

A. Those records relating to operation of a public agency including correspondence, opinions, adjudications, policies, goals, procedures, decisions, interpretations, staff manuals, reports, studies, etc., which shall be identified as "public records" pursuant to public disclosure laws set forth in RCW 42.17.260; and

B. Those records received and/or maintained by an agency pursuant to other sections of the law such as judgments, licenses, UCC's, vital statistics, property records, etc., which shall be identified as "official records." (Ord. 3606 § 3, 1978).

**2.12.060 Retention of records.** Retention of all county records, both public and official records, shall be in accordance with approved records retention schedules established pursuant to RCW 40.14.070. The archives and records management program shall provide for the legal retention and disposition policy for county records, including identification of archival records. (Ord. 10698 § 5, 1993: Ord. 3606 § 4, 1978).

**2.12.070 Fee for copies of county budget.** Copies of the annual King County budget shall be available from the office of the county administrator and shall be furnished to interested persons upon payment of a minimal fee in the amount of five dollars for each copy thereof, which fee shall be paid to the King County treasurer. (Ord. 134, 1969).

**2.12.080 Sale of copies of code.** The records, elections and licensing services division may sell copies of the King County code to subscribers other than county agencies or departments for a fee of three hundred dollars plus an additional charge of fifteen cents per page for quarterly supplements. (Ord. 14520 § 2, 2002: Ord. 14199 § 10, 2001: Ord. 5962 § 2, 1982).

**2.12.090 Copies of public and official records – Policy.** It is established to be a policy of King County that copies of public and official records are to be provided to the public upon request wherever reasonable and proper in accordance with applicable laws and regulations and that agencies may impose a reasonable charge for providing copies of such records and for the use by any person of agency equipment to copy public records, which charges shall not exceed the amount necessary to reimburse the agency for its actual costs incident to such copying. For the purposes of this chapter, "agency" means any county board, commission, committee, department, division, bureau or officer. (Ord. 3606 § 5, 1984).

**2.12.110 Copy fees.**

A. Official County Records. Charges for paper copies of official county records shall be in accordance with fees set forth in applicable chapters of the RCW.

B. Public Records.

1. Certified Copies. Eight and one-half inches by fourteen inches or smaller; for the first page two dollars and for each additional page one dollar.

## 2. Noncertified Copies.

a. By policy King County's rates for all paper copies shall be as set forth in RCW 42.17.260.(8), for copies, eight and one-half inches by fourteen inches or smaller.

b. Any exceptions to the rate charged for paper copies shall be done by the executive or his/her designee, in accordance with RCW 42.17.260. Prior to the implementation of any rate exception the rate and the rate analysis shall be approved by ordinance by the council. (Ord. 12485 § 1, 1996: Ord. 8750 § 1, 1988: Ord. 6598 § 1, 1983: Ord. 3606 § 6, 1978).

**2.12.115 Electronic copies – Policy.** The executive or his/her designee shall, within one hundred days, establish a policy relating to electronic copies of official county records. This policy shall consider making kiosks available for King County citizens who don't have another means of access to computer technology. (Ord. 12485 § 3, 1996).

**2.12.120 Recording of official and public documents – fees.** The manager of the records, elections and licensing division shall charge such fees for the provision of recording services as are provided for county auditors in chapters 36.18 and 36.22 RCW and RCW 64.34.202. In addition, the following specific fees apply:

A. Record of survey. For land surveys, which shall be eighteen by twenty-four inches or less in size, the fee schedule is:

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|---|---------|
| 1. Basic fee for first page             | \$25.00 |
| 2. Department of natural resources fees | \$26.00 |
| 3. Centennial preservation fee          | \$2.00  |
| 4. State archives fee                   | \$1.00  |
| 5. Each additional page                 | \$5.00  |

B. Short plats and boundary line adjustments. For short plats and boundary line adjustments, legal size or smaller, the manager of the records, elections and licensing services division shall charge such fees as are provided for county auditors in chapter 36.18 RCW. For short plats and boundary line adjustments, eighteen by twenty-four inches or less in size, the fee schedule shall be the same as record of survey under K.C.C. 2.12.120A.

C. Record of monument. The record of monument shall be filed without charge on the standard form prescribed by the state Department of Natural Resources, Bureau of Surveys and Maps.

D. Reservation of condominium name. To reserve the right to use a specific name for a condominium, the fee is fifty dollars. A reservation is subject to RCW 64.34.202.

E. Administrative surcharge. As authorized by 2002 Wash. Laws Chapter 294, five percent of the mandatory state ten-dollar surcharge on recorded instruments shall be retained as an administrative surcharge effective June 13, 2002. Of the remaining funds, forty percent shall be transmitted monthly to the state treasurer and the remaining sixty percent shall be retained by the county and deposited into a fund to be used by the county and its cities for low-income housing initiatives.

F. Administrative fee. As authorized by 2003 Wash. Laws 289, five percent of the mandatory one-dollar state surcharge on recorded deeds of trust shall be retained as an administrative fee. (Ord. 14764 § 1, 2003: Ord. 14457 § 1, 2002: Ord. 14007 § 2, 2000: Ord. 13331 § 2, 1998: Ord. 9168 § 3, 1989: Ord. 1660 §§ 1-2, 1973).

**2.12.130 Non-statutorily required reports – Fees.**

A. The purpose of this section is to authorize departments of King County government to assess service fees for reimbursement of actual costs incurred by the county for the research, production and provision of computer print-out pages of requested reports which are not specifically required by statute to be provided.

B. This section shall apply to the provision of non-statutorily required reports to any party other than a King County agency. The cost to any party other than a King County agent shall be the actual unit cost per print-out page or part thereof. This cost shall be based on data maintenance and input, research, and production time.

C. Departments providing non-statutorily required reports shall establish a procedure for collection of these fees.

D. This section shall not apply to infrequent provision of non-statutorily required reports if the collection of service fees is determined by a department to be cost ineffective. (Ord. 8068, 1987).



**2.12.140 Severability.** If any portion of this ordinance or its application to any person or set of circumstances should be held unconstitutional, it shall not affect any other portion of this ordinance or other application to other persons or sets of circumstances. (Ord. 8750 § 2, 1988).

**2.12.160 Recorder's operation and maintenance fund.**

A. There is hereby established a special revenue fund titled "Recorder's Operation and Maintenance Fund Number 109", for the purpose of having deposited within it all revenues collected from the additional recording fee authorized by Chapter 204, Laws of Washington 1989. This fund shall be a first tier fund as described in K.C.C. 4.08. The revenue contained in this fund shall be expended solely for the purpose of acquiring, installing and maintaining an improved system for copying, preserving and indexing documents recorded in or filed with the King County records and elections division and for further preserving those official documents filed in King County that are deemed archival per state archival standards.

B. The director of the department of finance is authorized to invest any monies in the fund not required for immediate expenditure in accordance with the second paragraph of RCW 36.29.020.

C. The funds are to be used solely for the purposes authorized by Chapter 204 and shall not be added to the county's current expense fund, but shall be distributed as follows:

1. Fifty percent of the revenue generated through this surcharge shall be transmitted monthly to the state treasurer who shall distribute such funds back to the county department of finance and then to the special revenue Fund Number 109 in July of each year pursuant to state law. The portion of the surcharge transmitted to the state shall expire on January 1, 1995 at which time the surcharge shall be reduced to one dollar per instrument.

2. Fifty percent of the revenue generated shall be retained by records and elections division and deposited directly into Fund Number 109 and not added to the county Current Expense Fund. On January 1, 1995 the remaining one dollar per instrument shall continue to go into this fund. (Ord. 12075 § 1, 1995).

**2.12.170 Enhanced program for preserving, copying, maintaining, and indexing documents.**

A. There is established within the records and elections division an enhanced program for preserving, copying, maintaining, and indexing documents officially recorded and filed with the county that require preservation in the public interest against age and environmental degradation before they are irreparably damaged. The program shall take advantage of the latest technology for records preservation to include, but not limited to, photomicrographic and computerized electronic digital storage methods.

B. To support the program the records and elections manager shall collect the two dollar fee provided by state law as amended for each document recorded in the recorder's office, which shall be in addition to any other authorized fee or charge.

C. The fee of two dollars shall be used for only those purposes outlined by state law as amended, that is, to provide for the installation and maintenance of an improved system for copying, preserving and indexing documents recorded in King County and for the preservation of those records deemed archival. (Ord. 9168 § 2, 1989).

**2.12.180 Agency index of records, reports and manuals required.**

A. Each agency shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after June 30, 1972:

1. Final opinions, including concurring and dissenting opinions, as well as orders made in the adjudication of cases;

2. Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;

3. Administrative staff manuals and instructions to staff that affect a member of the public;

4. Planning policies and goals and interim and final planning decisions;

5. Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies reports or surveys, whether conducted by public employees or others; and

6. Correspondence, and materials referred to in the correspondence either prepared or received by the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, in which the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government or any private party.

B. An agency need not maintain such an index if to do so would be unduly burdensome, but it shall in that event:

1. Issue and publish a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with agency operations; and

2. Make available for public inspection and copying all indexes maintained for agency use.

C. An agency's record retention schedule approved in accordance with chapter 40.14 RCW may serve as an index for the purposes of this section. (Ord. 14266 § 6, 2001: Ord. 2165 § 4, 1974. Formerly K.C.C. 2.98.040).

**2.12.190 Filing and availability of agency information.** An agency shall provide to the executive department responsible for archives and records management functions, and shall prominently display and make available for inspection and copying at the central office of the agency, the information required under RCW 42.17.250 for guidance of the public. (Ord. 14266 § 12, 2001).

**2.12.200 Information exempt from public inspection.**

A. The exempted records listed in chapter 42.17 RCW, and other applicable state law, are exempt exempt from public inspection and copying

B. The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons. (Ord. 14266 § 7, 2001: Ord. 2165 § 5, 1974. Formerly K.C.C. 2.98.050).

## Chapter 2.14

### PUBLIC ACCESS TO ELECTRONIC RECORDS AND INFORMATION

#### Sections:

2.14.010 Definitions.

2.14.020 Management and dissemination of electronic information.

2.14.030 Commitment to protecting privacy.

2.14.040 Information access charges.

**2.14.010 Definitions.** For the purpose of this chapter, the following terms shall have the meanings set forth below:

A. "County agency" means any office, division or department of the county assessor, office of the prosecuting attorney, or the executive, legislative or judicial branches.

B. "Personal data" means any information concerning a citizen which, because of name, identifying number, mark, or description, can be readily associated with a particular individual, including information contained in printouts, forms, written analyses or evaluations. (Ord. 12550 § 1, 1996).

**2.14.020 Management and dissemination of electronic information.** King County is committed to managing its electronic information as a county-wide resource and in a manner that is efficient and economical; promotes open government and an informed citizenry; protects individual privacy; and meets county record retention and disposition standards.

A. The executive shall establish a standing task force to develop information system planning, operating and acquisition guidelines and criteria to assist county agencies in meeting this commitment. The task force shall also develop strategies to preserve records of historical or legal value and establish content-related indexing standards for electronic access to pre- and post-charter legislation. The task force shall develop these guidelines, criteria and strategies in accordance with the county's commitment to protecting privacy as outlined in K.C.C. 2.14.030 and with consideration of the following:

1. Establishing appropriate and fiscally responsible levels of public access that are reflective of agency missions;

2. Balancing broad and equitable public access with the protection of personal privacy and information security;

3. Maximizing efficiency by utilizing existing systems and promoting information exchange and system compatibility;

4. Avoiding duplication of information;

5. Creating a means to recover records vital to the continuance of government in the event of a disaster.

The task force shall present for county council review its guidelines, criteria and strategies by June 30, 1997. The task force shall also provide assistance to Information Resource Council's Technology Sub-Committee as needed.

B. The executive shall advise the county council of the individual designated as the lead for the task force within thirty days of the designation. The task force shall involve a broad membership of county agencies, including at minimum the following:

1. County council;

2. Office of the prosecuting attorney;

3. Department of public safety;

4. Department of judicial administration;

5. Office of financial management;

6. Office of emergency management;

7. Division of information and telecommunications services; and

8. Division of records and elections.

The department of information and administrative services shall provide staff support to the task force and will coordinate and assist agencies in information resource management. (Ord. 12550 § 2, 1996).

**2.14.030 Commitment to protecting privacy.** King County is committed to balancing the promotion of public access to information with the privacy rights of its citizens by adhering to the following guidelines:

A. Collection of personal data shall be lawful, fair, and to the extent possible with the knowledge and consent of the individual.

B. Agencies shall establish procedures to ensure that data is accurate, complete, current and relevant to the agency's mandated functions.

C. When data can only be collected with the consent of the individual, the purpose for the data shall be stated upon collection. Personal data should not be used by the county for any purpose not stated upon collection without the consent of the data subject or by the positive authorization of law. This is not intended to limit collection of personal data for purposes of investigative agencies or other functions which collect non-disclosable information according to RCW 42.17.310 or any other federal, state, local statute, rule or regulation.

D. Personal data shall be reasonably protected by the data collector.

E. Agencies shall establish mechanisms for citizens to review information about themselves and to submit corrections of possible inaccuracies in that information.

F. The executive shall submit a report by October 1<sup>st</sup> of every year to the council that lists by category new and existing personal data collected by county agencies, a description of the uses of this personal data and its public disclosure status. (Ord. 12550 § 3, 1996).

**2.14.040 Information access charges.** Charges assessed of either commercial or public users for paper copies of information maintained in electronic shall be set in accordance with RCW 42.17 and county ordinance. Fees for development, maintenance, staff time or any other costs necessary to respond to customized or special service requests may be included in the charges for such requests. Funding to meet the costs of providing electronic access, including the building of the necessary information systems, developing the ability to mask non-disclosable information and maintenance and upgrade of systems should come primarily from local appropriations, grants, private funds, cooperative ventures among governments, non-exclusive licensing and public/private partnerships. (Ord. 12550 § 4, 1996).

**Chapter 2.16**  
**ADMINISTRATIVE OFFICES AND EXECUTIVE**  
**DEPARTMENTS**

**Sections:**

- 2.16.010 Purpose.
- 2.16.020 Executive branch of county government – Policy regarding organizational structure.
- 2.16.025 County executive.
- 2.16.035 Department of executive services.
- 2.16.045 Department of natural resources and parks – duties – divisions.
- 2.16.055 Department of development and environmental services - duties – divisions.
- 2.16.060 Department of public safety – duties – divisions.
- 2.16.062 Destruction and disposition of confiscated firearms.
- 2.16.0755 Office of information resource management –chief information officer.
- 2.16.0756 Office of information resource management – chief information officer – convening of information technology security steering committee.
- 2.16.0757 Office of information resource management – information technology strategic planning office.
- 2.16.0758 Office of information resource management – central information technology project management office.
- 2.16.07581 Definitions - Ordinance 14155.
- 2.16.07582 Strategic advisory council.
- 2.16.07583 Business management council.
- 2.16.07584 Technology management board.
- 2.16.07585 Project review board.
- 2.16.080 Seattle-King County department of public health.
- 2.16.097 Civil fines and civil penalties – write offs.
- 2.16.110 Appointment and confirmation of exempt officials.
- 2.16.120 Department of adult and juvenile detention – duties – divisions.
- 2.16.130 Department of community and human services.
- 2.16.100 Career service exemptions.
- 2.16.122 Community corrections division.
- 2.16.140 Department of transportation – duties – divisions.
- 2.16.175 Juvenile court services – detention facilities – administration by the county executive.
- 2.16.190 Liability.
- 2.16.210 Department of assessments – duties – divisions.
- 2.16.250 Continuation of authorizations and duties, and changes to names of departments, divisions, offices, and director and manager positions in the King County Code.
- 2.16.300 Severability.

**2.16.010 Purpose.** To specify the functions and responsibilities of executive agencies per Section 220.20 of the Home Rule Charter, as an oversight guide to judge and review the allocation of public resources. (Ord. 6066 § 1, 1982).

**2.16.020 Executive branch of county government – Policy regarding organizational structure.**

A. The organization of the executive branch, as described in this section of the code, is intended to comply with Article 3 of the county charter. Accordingly, the executive branch shall consist of:

1. The county executive;
2. The county administrative officer;
3. Specific organizational units, classified “administrative offices” assigned to the county administrative officer, having a specified function by which it will assist that officer in performing assigned responsibilities;
4. Specific organizational units, classified “executive departments” determined by major assigned function or process; and

5. Specific organizational units within departments and administrative offices, where created by ordinance, classified “divisions” to which will be delegated the responsibility of efficiently and effectively carrying out assigned departmental or office functions and duties.

B. County agencies referenced in this chapter, and county boards, commissions, committees and other multimember bodies except the board of appeals and the personnel board, shall individually and collectively constitute the organizational structure of the executive branch of King County government.

C. Titles of agencies of the executive branch of county government as used in this section shall be the official organizational unit titles. Where necessary or appropriate, the clerk of the council is authorized to change the titles of executive branch agencies where appearing in other ordinances or sections of the code to conform with the unit titles used herein.

D. The director of each executive department, chief officer of each administrative office, and manager of each division may exercise the powers vested in that department, administrative office, or division. None of these positions may exercise authority over another organizational unit for more than sixty days without council approval by ordinance; provided, that this shall not be construed to limit the authority of a department director or chief officer of an administrative office over divisions within his or her department or office.

E. To ensure accountability, efficiency, internal control, and consistency, each executive department, administrative office and division may provide administrative and technical support to functions and duties for which other executive departments, administrative offices or divisions have primary responsibility. Such support shall be provided in conjunction with the departments, offices or divisions that have primary responsibility for the functions and duties. Such support may include, but is not limited to, the following:

1. Human resources and payroll;
2. Budget preparation and submittal, and financial and fiscal management;
3. Information, communication, media and community relations, printing, graphics, mail, records management and public disclosure;
4. Facilities and leased space maintenance and management;
5. Program analysis, and contract and performance evaluation and review;
6. Information systems and technology development;
7. Grants management; and
8. Liaison with county and external auditors.

To assist executive agencies to properly perform their assigned functions and duties, executive agencies may establish and maintain contacts with state and federal agencies that regulate or provide financial assistance to the programs for which the agencies are responsible, monitor state and federal legislative initiatives, and provide input to and on the county’s legislative agenda through processes prescribed by the council.

To ensure the county complies with applicable state and federal laws, regulations and requirements, executive agencies may undertake duties and functions as may be assigned by the executive and not assigned to another agency by the council.

F. Except as otherwise assigned by the council, all executive agencies shall provide support services to citizen advisory committees that are established by the council. (Ord. 14199 § 12, 2001: Ord. 11955 § 2, 1995).

**2.16.025 County executive.** The county executive shall manage and be fiscally accountable for the office of management and budget and the office of business relations and economic development.

A. The office of management and budget functions and responsibilities shall include, but not be limited to:

1. Planning, preparing and managing, with emphasis on fiscal management and control aspects, the annual operating and capital improvement budgets;
2. Preparing forecasts of and monitor revenues;
3. Monitoring expenditures and work programs in accordance with Section 475 of the King County Charter;
4. Developing and preparing expenditure plans and ordinances to manage the implementation of the operating and capital improvement budgets throughout the fiscal year;

5. Developing and using outcome-based performance indicators to monitor and evaluate the effectiveness and efficiency of county agencies;

(King County 12-2002)  
ADMINISTRATION

2.16.025

6. Formulating and implementing financial policies regarding revenues and expenditures for the county and other applicable agencies;

7. Performing program analysis, and contract and performance evaluation review.

8. Collecting and analyzing land development, population, housing, natural resource enhancement, transportation and economic activity data to aid decision making and to support implementation of county plans and programs, including benchmarks; and

9. Developing and transmitting to the council, concurrent with the annual proposed budget, supporting materials consistent with K.C.C. 4.04.030.

B. The office of business relations and economic development functions and responsibilities shall include, but not be limited to:

1. Developing proposed policies to address economic development;

2. Providing quarterly economic reports to the executive and the council that characterize trends in employment, unemployment, business operations including layoff warnings required under state law and other factors that are useful in understanding economic trends;

3. Establishing, fostering and maintaining healthy relations with business and industry;

4. Optimizing the value of county-controlled assets, such as the King County airport, as engines for economic growth, recognizing that it may be in the public interest to foster job creation expansion of the tax base rather than maximizing direct revenue to the county from a particular asset;

5. Managing programs and developing projects that promote economic development, assist communities and businesses in creating economic opportunities, promote a diversified regional economy, promote job creation with the emphasis on family-wage jobs and improve county asset management. A report on these activities shall be included in the quarterly report required under subsection B.2 of this section;

6. Providing assistance to other county departments to determine if real property or other assets may be managed for economic development purposes to create jobs and expand private investment or administered in a manner that will provide additional revenue to the county;

7. Managing the boost, apprenticeship and business development programs including the following functions:

a. administering the discrimination and affirmative action in employment by contractors', subcontractors' and vendors' policies under K.C.C. chapter 12.16;

b. administering the boost program for the use of small economically disadvantaged businesses on county contracts under K.C.C. chapter 4.19; and

c. administering the federal Americans with Disabilities Act of 1990 and federal Rehabilitation Act of 1973, Section 504, policies related to obligations of contractors with the county;

8. Serving as the disadvantaged business enterprise liaison officer for federal Department of Transportation and other federal grant program purposes; and

9. Managing the county's landmark preservation program including the following functions:

a. administering landmark designation and regulation functions under K.C.C. chapter 20.62;

b. serving as the county's historic preservation officer under the county's certified local government agreement with the state and for federal grant program purposes;

c. administering the landmark rehabilitation and improvement loan program in partnership with local financial institutions, administering the special valuation program under chapter 84.26 RCW and assisting with the current use taxation program for cultural resources;

d. providing oversight and assistance to other county departments to ensure compliance with federal, state and local cultural resource laws; and

e. preparing and administering interlocal agreements between the county and cities related to landmark designation and protection services.

C. The executive may assign or delegate budgeting, business relations and economic development functions to employees in the office of the executive but shall not assign or delegate those functions to any departments. (Ord. 14561 § 1, 2002: Ord. 14199 § 13, 2001: Ord. 13666 § 2, 1999: Ord. 12441 § 1, 1996: Ord. 12394 § 8, 1996: Ord. 12075 § 3, 1995).

**2.16.035 Department of executive services.** The county administrative officer shall be the director of the department of executive services. The department shall include the information and telecommunications services division, the records, elections and licensing division, the finance and business operations division, the human resources management division, the facilities management division, the administrative office of information resources management, the administrative office of risk management, the administrative office of emergency management and the administrative office of civil rights. In addition, the county administrative officer shall be responsible for providing staff support for the board of ethics.

A. The duties of the information and telecommunications services division shall include the following:

1. Designing, developing, operating, maintaining and enhancing computer information systems for the county and other contracting agencies, except for geographic information systems, which shall be administered by the department of natural resources and parks;

2. Managing the cable communications provisions set forth in K.C.C. chapter 6.27A;

3. Negotiating and administering cable television and telecommunication franchises under K.C.C. chapter 6.27;

4. Providing telephone system design, installation, maintenance and repair;

5. Managing and operating the centralized printing and graphic arts services;

6. Providing internal communications and public information services including setting standards for and preparing informational publications, except to the extent to which the council decides, as part of the annual appropriation ordinance, to fund selected departmental level internal communications and public information services in certain departments or divisions; and

7. Administering the emergency radio communication system under K.C.C. chapter 2.58, but not including the radio communication and data system operated and maintained by the department of transportation.

B. The duties of the records, elections and licensing services division shall include the following:

1. Conducting all special and general elections held in the county and registering voters;

2. Issuing marriage, vehicle/vessel, taxicab and for-hire driver and vehicle and pet licenses, collecting license fee revenues and providing licensing services for the public;

3. Enforcing county and state laws relating to animal control;

4. Managing the recording, processing, filing, storing, retrieval and certification of copies of all public documents filed with the division as required;

5. Processing all real estate tax affidavits;

6. Acting as the official custodian of all county records, as required by general law, except as otherwise provided by ordinance; and

7. Managing the printing and distribution of the King County Code and supplements to the public.

C. The duties of the finance and business operations division shall include the following:

1. Monitoring revenue and expenditures for the county. The collection and reporting of revenue and expenditure data shall provide sufficient information to the executive and to the council. The division shall be ultimately responsible for maintaining the county's official revenue and expenditure data;

2. Performing the functions of the county treasurer;

3. Billing and collecting real and personal property taxes, local improvement district assessments and gambling taxes;

4. Processing transit revenue;

5. Receiving and investing all county and political jurisdiction moneys;

6. Managing the issuance and payment of the county's debt instruments;

7. Managing the accounting systems and procedures;

8. Managing the fixed assets system and procedures;

9. Formulating and implementing financial policies for other than revenues and expenditures for the county and other applicable agencies;

10. Administering the accounts payable and accounts receivable functions;

11. Collecting fines and monetary penalties imposed by district courts;
12. Developing and administering procedures for the procurement of and awarding of contracts for tangible personal property, services, professional or technical services and public work in accordance with K.C.C. chapter 4.16 and applicable federal and state laws and regulations;

2.16.035

(King County 12-2002)  
ADMINISTRATION

13. Establishing and administering procurement and contracting methods, and bid and proposal processes, to obtain such procurements;

14. In consultation with the prosecuting attorney's office and office of risk management, developing and overseeing the use of standard procurement and contract documents for such procurements;

15. Administering contracts for goods and services that are provided to more than one department;

16. Providing comment and assistance to departments on the development of specifications and scopes of work, in negotiations for such procurements, and in the administration of contracts;

17. Assisting departments to perform cost or price analyses for the procurement of tangible personal property, services and professional or technical services, and price analysis for public work procurements;

18. Developing, maintaining and revising as may be necessary from time to time the county's general terms and conditions for contracts for the procurement of tangible personal property, services, professional or technical services and public work;

19. Managing the payroll system and procedures, including processing benefits transactions in the payroll system and administering the employer responsibilities for the retirement and the deferred compensation plans; and

20. Managing and developing financial policies for borrowing of funds, financial systems and other financial operations for the county and other applicable agencies.

D. The duties of the human resources management division shall include the following:

1. Developing and administering training and organizational development programs, including centralized employee and supervisory training and other employee development programs;

2. Developing proposed and administering adopted policies and procedures for employment (recruitment, examination and selection), classification and compensation, and salary administration;

3. Developing proposed and administering adopted human resources policy;

4. Providing technical and human resources information services support;

5. Developing and managing insured and noninsured benefits programs, including proposing policy recommendations, negotiating benefits plan designs with unions, preparing legally mandated communications materials and providing employee assistance and other work and family programs;

6. Developing and administering diversity management and employee relations programs, including affirmative action plan development and administration, management and supervisory diversity training and conflict resolution training;

7. Developing and administering workplace safety programs, including inspection of work sites and dissemination of safety information to employees to promote workplace safety;

8. Administering the county's self-funded industrial insurance/worker's compensation program, as authorized by Title 51 RCW;

9. Representing county agencies in the collective bargaining process as required by chapter 41.56 RCW;

10. Representing county agencies in labor arbitrations, appeals and hearings including those in chapter 41.56 RCW and required by K.C.C. Title 3;

11. Administering labor contracts and providing consultation to county agencies regarding the terms and implementation of negotiated labor agreements;

12. Advising the executive and council on overall county labor and employee policies;

13. Providing labor relations training for county agencies, the executive, the council and others;

14. Overseeing the county's unemployment compensation program;

15. Developing and maintaining databases of information relevant to the collective bargaining process; and

16. Collecting and reporting to the office of management and budget on a quarterly basis information on the numbers of filled and vacant full-time equivalent and term-limited temporary positions and the number of emergency employees for each appropriation unit.



- E. The duties of the facilities management division shall include the following:
1. Overseeing space planning for county agencies;
  2. Administering and maintaining in good general condition the county's buildings except for those managed and maintained by the departments of natural resources and parks and transportation;

(King County 12-2002)

ADMINISTRATIVE OFFICES AND EXECUTIVE DEPARTMENTS

2.16.035

3. Operating security programs for county facilities except as otherwise determined by the council;
4. Administering all county facility parking programs except for public transportation facility parking;
5. Administering the supported employment program;
6. Managing all real property owned or leased by the county, except as provided in K.C.C. chapter 4.56, ensuring, where applicable, that properties generate revenues closely approximating fair market value;
7. Maintaining a current inventory of all county-owned or leased real property;
8. Functioning as the sole agent for the disposal of real properties deemed surplus to the needs of the county;
9. In accordance with K.C.C. chapter 4.04, providing support services to county agencies in the acquisition of real properties, except as otherwise specified by ordinance;
10. Issuing oversized vehicle permits, franchises and permits and easements for the use of county property except franchises for cable television and telecommunications;
11. Overseeing the development of capital projects for all county agencies except for specialized roads, solid waste, public transportation, airport, water pollution abatement and surface water management projects;
12. Being responsible for all general projects, such as office buildings or warehouses, for any county department including, but not limited to, the following:
  - a. administering professional services and construction contracts;
  - b. acting as the county's representative during site master plan, design and construction activities;
  - c. managing county funds and project budgets related to capital improvement projects;
  - d. assisting county agencies in the acquisition of appropriate facility sites;
  - e. formulating guidelines for the development of operational and capital improvement plans;
  - f. assisting user agencies in the development of capital improvement and project program plans, as defined and provided for in K.C.C. chapter 4.04;
  - g. formulating guidelines for the use of life cycle cost analysis and applying these guidelines in all appropriate phases of the capital process;
  - h. ensuring the conformity of capital improvement plans with the adopted space plan and approved operational master plans;
  - i. developing project cost estimates that are included in capital improvement plans, site master plans, capital projects and annual project budget requests;
  - j. providing advisory services, feasibility studies or both services and studies to projects as required and for which there is budgetary authority;
  - k. coordinating with user agencies to assure user program requirements are addressed through the capital development process as set forth in this chapter and in K.C.C. Title 4;
  - l. providing engineering support on capital projects to user agencies as requested and for which there is budgetary authority; and
  - m. providing assistance in developing the executive budget for capital improvement projects;
13. Providing for the operation of a downtown winter shelter for homeless persons between October 15 and April 30 each year.

F. The duties of the administrative office of risk management shall include the management of the county's insurance and risk management programs consistent with K.C.C. chapter 4.12.

G. The duties of the administrative office of emergency management shall include the following:

1. Planning for and providing effective direction, control and coordinated response to emergencies;

2. Being responsible for the emergency management functions defined in K.C.C. chapter 2.56;
- and
3. Managing the E911 emergency telephone program.
- H. The duties of the administrative office of civil rights shall include the following:
1. Enforcing nondiscrimination ordinances as codified in K.C.C. chapters 12.17, 12.18, 12.20 and 12.22;

2.16.035 - 2.16.045

(King County 12-2002)  
ADMINISTRATION

2. Assisting departments in complying with the federal Americans with Disabilities Act of 1990, the federal Rehabilitation Act of 1973, Section 504, and other legislation and rules regarding access to county programs, facilities and services for people with disabilities;
  3. Serving as the county Americans with Disabilities Act coordinator relating to public access;
  4. Providing staff support to the county civil rights commission;
  5. Serving as the county federal Civil Rights Act Title VI coordinator; and
  6. Coordinating county responses to federal Civil Rights Act Title VI issues and investigating complaints filed under Title VI.
- I. The duties of the office of information resource management shall include the duties in K.C.C. 2.16.0755. (Ord. 14561 § 2, 2002: Ord. 14199 § 11, 2001).

**2.16.045 Department of natural resources and parks – duties – divisions.**

A. The department is responsible to manage and be fiscally accountable for the wastewater treatment division, water and land resources division, solid waste division and parks and recreation division. The department shall manage, design, develop, operate maintain and enhance the geographic information systems for the county and other contracting agencies. The department shall administer and implement the requirements of the federal Clean Water Act, federal Endangered Species Act and other federal and state laws and regulations related to those requirements. The department shall perform the metropolitan water pollution abatement function referred to in this section as “the water quality program,” as set forth in chapter 35.58 RCW, K.C.C. Title 28 and other federal and state laws and regulations applicable to that function, although financial planning for and administration of the water quality program shall be conducted consistent with financial policies approved by the council. The department shall coordinate the county's National Pollutant Discharge Elimination System (NPDES) municipal stormwater permit program. The department shall provide the support to the county's participation in the regional water supply planning process including the development of reclaimed water and the review of local utility district plans for conformance with county plans and policies and shall participate in the process of preparing coordinated water system plans to ensure conformance with county plans and policies. The department shall provide for the active and passive recreational needs of the region, consistent with the mission of the parks and recreation division described in subsection E.1 of this section. The department shall designate as natural resource lands those county-owned lands that serve important natural resource functions, including, but not limited to, benefiting and protecting natural drainage systems, drainage basins, flood control systems, ecosystems, water quality, ground water, fisheries and wildlife habitat and other natural resource purposes. The department shall act to ensure integration of environmental programs across utility and resource functions and to balance stewardship with economic development issues. To ensure integration and balanced stewardship through the director's office the department shall oversee strategic planning using staff resources budgeted in the department's divisions. Strategic planning may include, but not be limited to: integration of land and water resource protection; coordination of groundwater, water reuse and water supply plan approval; development of new funding approaches for resource protection; establishment of new partnerships with businesses, community organizations and citizens; and better coordination of sewerage and flood control facilities to prevent water quality degradation.

- B.1. The duties of the waste water treatment division shall include the following:
- a. administering the functions and programs related to the operation, maintenance, construction, repair, replacement and improvement of the metropolitan sewerage system and its financing;
  - b. administering the county's sewage disposal agreements with cities and special districts;

(King County 12-2002)

ADMINISTRATIVE OFFICES AND EXECUTIVE DEPARTMENTS

2.16.045

- c. providing planning for the water quality capital program;
- d. providing design, engineering and construction management services related to the water quality capital programs including new facilities development and maintenance of the existing infrastructure;

- e. providing support services such as project management, environmental review, permit and right-of-way acquisitions, scheduling and project control; and

- f. regulating industrial discharges into the metropolitan sewerage system.

2. The council may assign responsibility for services ancillary to and in support of the operation and maintenance of the metropolitan water pollution abatement system under chapter 35.58 RCW, including, but not limited to, human resources, accounting, budgeting, finance, engineering, fleet administration, maintenance, laboratory, monitoring, inspection and planning, as it determines appropriate.

C. The duties of the water and land resources division shall include the following:

- 1. Proposing or updating, or both, and implementing adopted policies, plans and programs relating to water and land resources, open space and other natural resources that protect fisheries, natural resources, water quality and ground water and that solve and prevent drainage problems;

- 2. Responding to major river floods and addressing drainage problems in unincorporated portions of the county as provided in K.C.C. Title 9, the Surface Water Management Program, in K.C.C. chapter 20.12, the King County Flood Hazard Reduction Plan Policies and other policies established by the council;

- 3. Within available resources, maintaining major river channels, and surface and storm drainage systems and lands to minimize flood hazards and protect fisheries resources, drainage systems and lands, and water quality;

- 4. Providing coordination and technical assistance within the county and other governments to assist in setting and implementing priorities for water and land resources, including sample collection, laboratory services, monitoring, analysis and other activities to protect, enhance and evaluate the quality of land, habitat and water resources in the county;

- 5. Planning the surface water management capital program, providing design, engineering and construction management services related to the surface water management capital program including new facilities development and maintenance of the existing infrastructure and providing support services such as project management, environmental review, permit and right-of-way acquisitions, scheduling and project control;

- 6. Preparing standards for storm water management facilities that are constructed as part of land development;

- 7. Providing technical assistance and education to businesses and the general public to encourage environmental stewardship;

- 8. Implementing the county park, open space, trails, agriculture, forestry, and other natural resources acquisition programs, including planning, site selection, financing, acquisition, project budget management and purchasing fee and less than fee interests;

- 9. Monitoring and protecting the county's real property and development rights interests acquired through the conservation futures and other open space and natural resource programs ensuring to the greatest extent practicable that subsequent county land use policies remain compatible with the acquired interests;

- 10. Preparing and implementing the management plans for protection and use of the natural resource values of county owned lands, including natural resource lands, dedicated and deeded open

space lands and lands acquired by the county as a condition of land development approval, and determining appropriate means to execute such management plans;

11. Administering, operating and maintaining those lands designated as natural resource lands, using any work forces as appropriate;

12. The office of rural and resource lands shall be a distinct functional unit of the division reporting directly to the water and land resources division manager. The office shall plan, manage and be responsible for administering the county's rural and resource lands programs including, but not limited to, agriculture, farmlands preservation, current use taxation programs, forestry, noxious weeds, terrestrial wildlife and habitat, rural economic development, and encouraging environmental stewardship.

D. The duties of the solid waste division shall include the following:

1. Managing and operating the county's comprehensive solid waste program on a self-supporting basis;

(King County 9-2003)  
ADMINISTRATION

2.16.045 - 2.16.055

2. Administering the county's solid waste interlocal agreements with cities and towns;

3. Diverting as much material as possible from disposal in a manner that reduces the overall costs of solid waste management to county residents and businesses, conserves resources, protects the environment and strengthens the county's economy;

4. Managing and being accountable for all transfer station operations and landfills, as well as the transportation of waste between county facilities;

5. Procuring and maintaining all capital and operating equipment specific to the solid waste function;

6. Providing planning, design, engineering and construction management services related to the solid waste capital program including new facilities development and maintenance of existing infrastructure;

7. Providing support services such as project management, environmental review, permit acquisitions, scheduling and project control; and

8. Actively pursuing all revenue sources in an effort to maintain the lowest possible rate structure for the benefit of county residents.

E. The duties of the parks and recreation division shall include the following:

1. Carrying out the county's parks and recreation division mission, which is to provide regional trails, regional passive parks, regional resource and ecological lands and regional active recreation facilities, rural parks and local unincorporated area parks within the urban growth boundary until annexed, by employing entrepreneurial strategies that raise revenues to support park operations and facilitating agreements with other jurisdictions and entities to provide for recreational services and other activities;

2. Proposing and implementing adopted policies, plans and programs related to the provision of regional and rural parks and recreation facilities and programs in King County and local parks in the unincorporated portion of King County within the urban growth boundary until those areas are annexed;

3. Within available resources, managing, operating and maintaining or facilitating the management, operation and maintenance of the county parks and recreation facilities;

4. Within available resources, maintaining or facilitating the maintenance of regional resource and ecological lands at the direction of the water and land resources division;

5. Developing and maintaining an operational master plan and develop and monitoring a capital improvement plan as defined in K.C.C. chapter 4.04;

6. Within available resources, developing and facilitating agreements for the development of specific active park and recreation facilities;

7. Coordinating with other departments and divisions as appropriate in the preparation of grant applications for park and open space acquisition, development and operations;

8. Developing, managing, or facilitating agreements for the provision of recreational programs;

9. Facilitating programs that promote the safe enjoyment of county-owned swimming pools and guarded swim beaches; and

10. Planning, organizing, scheduling and administering the annual King County Fair, off-season programs and use of the county fairgrounds with guidance from the King County fair board. (Ord. 14509 § 2, 2002: Ord. 14199 § 14, 2001: Ord. 12441 § 3, 1996: Ord. 11955 § 9, 1995).

**2.16.055 Department of development and environmental services — duties — divisions.**

A. The department of development and environmental services is responsible to manage and be fiscally accountable for the building services division, land use services division, and administrative services division. The director of the department shall be the county planning director, building official, fire marshal and zoning adjuster and the responsible official for purposes of administering the state Environmental Policy Act, and may delegate those functions to qualified subordinates. The department shall be responsible for regulating the operation, maintenance and conduct of county-licensed businesses, except taxicab and for-hire drivers and vehicles. The department shall be responsible for managing and coordinating the implementation of Growth Management Act requirements, coordinating county and regional land use planning with public and private agencies, developing proposed policies to address regional land use planning and developing and overseeing the countywide program for implementation of the county's Comprehensive Plan including coordinating the implementation of plans that are developed by departments.

B. The building services division shall be responsible for ensuring consistent and efficient administration of environmental, building and land use codes and regulations for commercial and residential projects by means of permit review and approval, construction inspections and public information. The duties of the division shall include the following:

(King County 9-2003)

#### ADMINISTRATIVE OFFICES AND EXECUTIVE DEPARTMENTS

2.16.055 - 2.16.060

1. Permit center and public information;
2. Building plan and application review, including fire, fire-flow, building, mechanical, barrier-free, energy, security and other uniform code reviews;
3. Site review, including engineering and sensitive areas review of permit applications;
4. Inspections, including new-construction inspections for compliance with site, fire and building code requirements; and
5. Pursue and resolve code violations, including preparing for administrative or legal actions, evaluating the division's success in obtaining compliance with King County rules and regulations and designing measures to improve compliance.

C. The land use services division shall be responsible for the effective processing and timely review of land development proposals, including zoning variance and reclassification, master drainage plans, variances from the surface water design manual and the King County road standards, sensitive area, subdivision, right-of-way use, urban planned development, clearing and grading, shoreline, special use and conditional use applications. The duties of the division shall include the following:

1. Permit center and public information;
2. Plan review, including the review of applications for compliance with shorelines, sensitive areas, subdivision and other zoning regulations, road standards and variances from the surface water design manual, as well as community plans and utility comprehensive plans;
3. Engineering review and inspection, including the review of clearing and grading applications and review of engineering plans for compliance with adopted road and drainage standards and specifications;
4. Development inspection, including inspection of construction activity to ensure compliance with approved plans and codes;
5. Develop and assist in implementing local and subarea specific plans for urban and rural areas, consistent with the Comprehensive Plan;
6. Develop proposed policies to address long-range comprehensive land use planning and analyze and provide proposed updates to the Comprehensive Plan on an annual basis;
7. Develop proposed county plans, programs and policies and implement regulations on environmental issues, including environmentally sensitive areas and mineral resources, and serve as the contact for cities and agencies, providing appropriate research in support of county initiatives on these issues;
8. Administer the state Environmental Policy Act and act as lead agency, including making the threshold determinations, determining the amount of environmental impact and reasonable mitigation measures and coordinating with other departments and divisions in the preparation of county environmental documents or in response to environmental documents from other agencies; and
9. Monitor the cumulative effects of the county's Comprehensive Plan and other plans, policies and laws intended to protect natural and community resources while permitting development and growth, and providing periodic status reports to the executive and council.

D. The administrative services division shall provide support services throughout the department, including personnel and payroll support, budget support, financial services, information services, facilities

management and support, and records management and program analysis services. (Ord. 14561 § 3, 2002: Ord. 14199 § 15, 2001: Ord. 12940 § 1, 1997: Ord. 12441 § 5, 1996: Ord. 12051 § 1, 1996: Ord. 11955 § 5, 1995).

**2.16.060 Department of public safety – duties – divisions.**

A. The department of public safety, as identified in the Section 350.20.40 King County Charter, and managed by the King County sheriff, may also be known and cited in the King County Code and in other usage as the office of the sheriff. Employees managed by the King County sheriff may be referred to in the King County Code or otherwise, as King County police, King County officer, or deputy sheriff.

B. The department of public safety is responsible to keep and preserve the public peace and safety including the discharge of all duties of the office of sheriff under State law, except those duties relating to jails and inmates which are performed by other departments of county government. The functions of the department include:

1. Oversee a crime prevention program, investigate crimes against persons and property and arrest alleged offenders.
2. Execute the processes and orders of the courts of justice and all other mandated functions required by law.
3. In coordination with the office of emergency management, plan and coordinate resources for the public safety and welfare in the event of a major emergency or disaster.

(King County 12-2002)

2.16.060 - 2.16.062

ADMINISTRATION

4. Provide service and administrative functions which support but do not duplicate other governmental activities, and which have the potential to be fiscally self-supportive.

C. The department of public safety shall be composed of the following divisions:

1. Field operations division. The division of field operations shall be responsible for administering resources allocated to the functions of police patrol, general criminal investigation, crime prevention, traffic, and emergency management.

2. Technical services division. The division of technical services shall be responsible for administering resources allocated to the functions of:

- a. civil process;
- b. fiscal control;
- c. communications;
- d. personnel and training;
- e. records and identification; and
- f. property management, including evidence; stolen, lost or unclaimed property; and department equipment and supplies.

3. Criminal investigation division. The division of criminal investigation shall be responsible for administering resources allocated to the functions of major crimes investigation, narcotics investigation, gambling and vice investigation, criminal warrants service, and sundry criminal investigations not conducted in the field operations division. (Ord. 13037 § 1, 1998: Ord. 10808 § 2, 1993: Ord. 7790 § 9, 1986: Ord. 6333 § 2, 1983: Ord. 6066 § 7, 1982: Ord. 1872 § 1, 1973: Ord. 1438 § 3(c), 1972).

**2.16.062 Destruction and disposition of confiscated firearms.**

A. Definitions:

1. "Antique firearms" means those firearms as defined by RCW 9.41.150 and firearms recognized as curios, relics, and firearms of particular historical significance by the United States treasury department bureau of alcohol, tobacco and firearms.

2. "Machine gun" means any firearm, weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into such weapon, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

3. "Rifles and Shotguns" means any firearm with a barrel length of twelve inches or longer, but shall not include machine guns as defined in this section.

4. "Surplus firearms" means any firearm previously purchased, or converted to official use in accordance with RCW 63.40.010 by King County for use by the department of public safety or department of adult detention that are no longer serviceable or will become surplus as a result of those departments upgrading to newer weapons for duty service.

5. For purposes of this section only, "Handguns of potential value" means any handgun:

- a. accepted as a duty weapon, or any type, make, model, and calibers normally used by law enforcement, (i.e. caliber .380 or larger) and,

b. manufactured after 1945 which has a current version in production after 1975, and would have a "new" retail replacement cost in excess of two hundred dollars each, and,  
c. conditioned to operate legally and safely, and,  
d. graded as "Good" or better according to National Rifle Association grading scales, and,  
e. valued at one hundred fifty dollars or more retail, and,  
f. manufactured by Smith and Wesson, Colt, Ruger, Beretta, Browning, Walther, Sig/Sauer, Heckler & Koch, Glock, Dan Wesson, and Detonics.

6. Handguns manufactured by Charter Arms, Harrington and Richardson, Rohm/RG, Rossi, Taurus, Iver Johnson, High Standard and other similar lower value weapons, handguns considered as "assault" type handguns such as the Ingram/Cobray/RPB models M-10 or M-11, Intratec Tech 9, Wilkinson "Linda" or "Diane" and other similar rapid fire semi-automatic handguns normally manufactured and intended to use magazines with capacities in excess of 20 rounds, or handguns manufactured by another but sold under "house" names by department stores and/or discount stores, and/or all handguns caliber .25ACP or smaller with barrels less than 4" in length, and, which are not classified as curios, relics, or collectors arms per the list maintained by the United States treasury department, bureau of alcohol, tobacco and firearms, do not have potential value.

(King County 12-2002)

ADMINISTRATIVE OFFICES AND EXECUTIVE DEPARTMENTS

2.16.062 - 2.16.0755

B. Inventory, destruction and disposition. Within thirty (30) days of the effective date of this section (May 7, 1993) the sheriff shall have prepared an inventory of every firearm that has been judicially forfeited, has been seized and may be subject to judicial forfeiture, or that has been, or may be, forfeited due to a failure to make a claim under RCW 63.32.010, 63.35.020, or 63.40.010, or that is no longer needed for evidence. This inventory shall be updated annually and include a report on the destruction and disposal of firearms included in the inventory.

The sheriff shall destroy every firearm in the inventory, according to the plan in paragraph C of this section as approved by the council. Except that:

1. The sheriff may retain legally forfeited firearms solely for agency use.
2. The sheriff shall trade, auction, or arrange for the auction of rifles and shotguns.
3. Antique firearms are exempt from destruction and shall be disposed of by auction or trade to commercial sellers.
4. Surplus weapons and weapons of potential value may be offered as trade-in to law enforcement equipment dealers for the sole purpose of acquiring new handguns for duty use by commissioned members of the department of public safety or department of adult detention. If not offered as trade-in, they shall be destroyed.

C. Report required. The sheriff shall submit a report to the council within thirty (30) days on the inventory of firearms under paragraph B which shall include a plan for the destruction or disposal of all firearms in the inventory.

D. Effective date. This shall take effect upon the effective date of this ordinance. (1/6/94).

E. Severability. If any provision of this section or its application to any person or circumstance is held invalid, the remainder of the section or the application of the provision to other persons or circumstances is not affected. (Ord. 11167 § 1, 1993; Ord. 10767 § 1-5, 1993).

#### **2.16.0755 Office of information resource management – chief information officer.**

A. The office of information resource management shall be directed by a chief information officer (CIO). The CIO shall be appointed by the executive and confirmed by the council. The CIO shall report to the county executive and advise all branches of county government on technology issues. The CIO shall provide vision and coordination in technology management and investment across the county. The CIO shall attend regular executive cabinet meetings as a non-voting member and advisor on technology implications of policy decisions. The CIO shall meet regularly with business managers for the assessor, council, prosecutor, superior court, district court and sheriff to advise on technology implications of policy decisions. The CIO shall advise all county elected officials, departments and divisions on technology planning and project implementation.

B. The duties of the CIO also shall include the following:

1. Overseeing the information technology strategic planning office and production of a county information technology strategic plan and annually updating the plan;
2. Overseeing the central information technology project management office and monitoring of approved technology projects;

3. Recommending business and technical information technology projects for funding as part of the county's strategic planning process;
4. Recommending technical standards for the purchase, implementation and operation of computer hardware, software and networks as part of the county's strategic planning process;
5. Recommending countywide policies and standards for privacy, security and protection of data integrity in technology infrastructure, electronic commerce and technology vendor relationships as part of the county's strategic planning process;
6. Recommending information technology service delivery models for the information and telecommunications services division and the county's satellite information technology centers;
7. Identifying and establishing short-range, mid-range and long-range objectives for information technology investments in the county;
8. Establishing a standard process for information technology project management, including requirements for project initiation and review, parameters for agency contracts with information technology vendors, and reporting requirements to facilitate monitoring of project implementation;
9. Establishing criteria for determining which information technology projects will be monitored centrally;

(King County 12-2002)  
ADMINISTRATION

2.16.0755 - 2.16.0758

10. Monitoring project implementation when projects meet the established criteria;
11. Releasing the funding for each phase of those projects subject to central oversight based on successful reporting and completion of milestones;
12. Recommending budgetary changes in the funding of information technology projects to the executive and council, as appropriate;
13. Recommending project termination, as appropriate;
14. Conducting post-implementation information technology project review;
15. Managing the internal service fund of the office of information resource management; and
16. Providing annual performance review to the executive and council. (Ord. 14561 § 4, 2002: Ord. 14199 § 16, 2001: Ord. 14005 § 3, 2000).

**2.16.0756 Office of information resource management – chief information officer – convening of information technology security steering committee.** Within three months of his or her confirmation by the council, the chief information officer shall convene an information technology security steering committee to consider and make recommendations regarding issues of privacy and security relating to the use of technology. (Ord. 14005 § 5, 2000).

**2.16.0757 Office of information resource management – information technology strategic planning office.** The office of information resource management shall include an information technology strategic planning office ("strategic planning office"). The strategic planning office shall report directly to the chief information officer. The strategic planning office shall:

- A. Produce an information technology strategic plan with annual updates for annual council approval. The plan should include:
  1. A section that includes:
    - a. text describing, for individual planning issue areas, the current environment, strengths, weaknesses, opportunities and challenges, as appropriate;
    - b. a list of recommended objectives, with description as appropriate; and
    - c. a list of implementation steps intended to achieve these recommended objectives, with description as appropriate;
  2. A prioritized list of proposed business and technical information technology projects;
  3. Standards for the purchase, implementation and operation of computing hardware, software and networks;
  4. Policies and standards for privacy, security and protection of data integrity in technology infrastructure, electronic commerce and technology vendor relationships;
  5. Appendices supporting the recommendations with empirical data; and
  6. Strikeout and underlined revisions that retain the framework of the previous plan's structure when the plan is updated; and
- B. Support the work of countywide planning committees that coordinate business and technical needs for information technology investments. (Ord. 14005 § 4, 2000).



**2.16.0758 Office of information resource management – central information technology project management office.** The office of information resource management shall include a central information technology project management office (“project management office”). The project management office shall report directly to the chief information officer. The project management office shall:

- A. Develop criteria for determining which information technology projects should be subject to central monitoring by the project management office;
- B. Develop a process for information technology project initiation, including submittal of a business case analysis;
- C. Develop requirements for the components of the business case, such as, but not limited to, the linkage to program mission or business plan or cost-benefit analysis;
- D. Set parameters for acceptable conditions and terms of information technology vendor contracts with county agencies;
- E. Establish project implementation reporting requirements to facilitate central monitoring of projects;

(King County 12-2002)

ADMINISTRATIVE OFFICES AND EXECUTIVE DEPARTMENTS

2.16.0758 - 2.16.07582

F. Review the information technology project initiation request, including business case analysis, to ensure that materials contain all required components, have substance and are backed by documentation;

G. Monitor projects during implementation;

H. Approve the disbursement of funding for projects that meet the criteria for project management as established in K.C.C. 2.16.0758A;

I. Recommend budgetary changes to the executive and council as appropriate during each phase of project implementation;

J. Recommend project termination to the executive and council as appropriate; and

K. Conduct postimplementation review documenting strengths and weaknesses of the implementation process and the delivery, or lack thereof, of either cost savings or increased functionality, or both. (Ord. 14005 § 6, 2000).

**2.16.07581 Definitions - Ordinance 14155.**

A. Annual technology report: a report of the status of technology projects as of the end of the prior year pursuant to K.C.C. 2.16.0755.

B. Integration: technical components and business philosophies that bring together diverse applications from inside and outside the organization, to streamline and integrate business processes within an organization and with outside partners.

C. Interoperability: the ability of two or more hardware devices or two or more software routines to work together.

D. Long-term: a planning horizon of over three years out.

E. Mid-term: a planning horizon of two to three years.

F. Short-term: a planning horizon of one to two years.

G. Strategic: Likely to be more than three years out; necessary for achieving the planned effect desired.

H. Information technology strategic plan: a report that provides a vision and coordination of technology management and investment across the county pursuant to K.C.C. 2.16.0757A.

I. Technology business plan: an annual plan for the next year's technology operations and proposed projects; intended to align with individual agency's business plans and budget requests and the countywide standards and policies and direction as set forth in the strategic information technology plan. (Ord. 14155 § 1, 2001).

**2.16.07582 Strategic advisory council.**

A. The strategic advisory council is hereby created. The council shall act in an advisory capacity to the county's chief information officer in developing long-term strategic objectives for information technology deployment countywide. The members shall be: the King County executive, two representatives of the King County council's choosing, the King County sheriff, the King County prosecuting attorney, the King County assessor, the King County chief information officer, the presiding judge of the King County superior court, the presiding judge of the King County district courts, an external

advisor from the private sector to be selected by the chair and the chief information officer, and an external advisor from the public sector to be selected by the chair and the chief information officer.

B. The strategic advisory council shall:

1. Develop and recommend strategic objectives for information technology deployment countywide;
  2. Review business application proposals for their alignment with adopted strategic objectives;
  3. Review technology program proposals for their alignment with adopted strategic objectives;
- and

4. Review and endorse the information technology strategic plan and all updates to it.

C. The King County executive shall serve as the chair of the strategic advisory council.

D. Formal votes shall be taken and recorded on all recommendations and endorsements.

E. Members of the strategic advisory council shall serve without compensation. (Ord. 14155 § 2, 2001).

2.16.07583 - 2.16.07584

(King County 12-2002)  
ADMINISTRATION

**2.16.07583 Business management council.**

A. The business management council is hereby created. The council shall act in an advisory capacity to the county's chief information officer in developing short-term, mid-term and strategic business objectives for information technology at the agency level and in recommending business application proposals for funding. The members shall be: the King County chief information officer, the King County deputy executive, and agency deputy directors or business managers chosen by each agency's director and familiar with that agency's business and operations.

B. The business management council shall:

1. Review business application proposals made by individual members, groups of members, or ad hoc committees;
2. Assess short-term, mid term and strategic value of business application proposals;
3. Assess short-term, mid-term and strategic impact and risk of business application proposals;
4. Assess alignment of business application proposals with adopted strategic objectives;
5. Identify sponsorship for business application proposals;
6. Recommend business application proposals for funding and for inclusion in the technology business plan and the information technology strategic plan;
7. Review and endorse the technology business plan; and
8. Review operations management issues as needed.

C. The King County chief information officer shall serve as the chair of the business management council.

D. The business management council may convene such additional ad hoc committees as are determined to be necessary by the business management council to focus on specific topics or to address the needs of a logical group of agencies. These committees shall review topics and report findings to the business management council.

E. Formal votes shall be taken and recorded on all recommendations and endorsements.

F. Members of the business management council shall serve without compensation. (Ord. 14155 § 3, 2001).

**2.16.07584 Technology management board.**

A. The technology management board is hereby created. The board shall act in an advisory capacity to the county's chief information officer on technical issues including policies and standards for privacy and security, applications, infrastructure and data management. The members shall be: the King County chief information officer and agency information technology directors or managers chosen by each agency's director and familiar with that agency's technology needs and operations.

B. The technology management board shall:

1. Review the strategic objectives recommended by the strategic advisory council and assess the ability of the technology infrastructure to support them;
2. Review the business objectives and business application proposals recommended by the business management council and assess the ability of the technology infrastructure to support them;

3. Develop technology program proposals which support the strategic and business objectives of the county;

4. Develop technology program proposals which promote the efficient operation and management of technology infrastructure, applications and data;

5. Recommend technology program proposals for funding and for inclusion in the technology business plan and the information technology strategic plan;

6. Develop and recommend the King County annual technology report; and

7. Develop and recommend standards, policies and procedures for infrastructure, applications deployment, data management and privacy and security.

C. The King County chief information officer shall serve as the chair of the technology management board.

D. The chief information officer shall establish the following teams with chairs to be selected by the chief information officer to assist the board in carrying out its duties:

1. Privacy and security team. The privacy and security team shall review and recommend additions and revisions to the county's policies and standards on privacy, security and protection of data integrity in technology infrastructure, electronic commerce and technology vendor relationships. The privacy and security team shall recommend changes and improvements to the technology management board;

(King County 12-2002)

#### ADMINISTRATIVE OFFICES AND EXECUTIVE DEPARTMENTS

2.16.07584 - 2.16.080

2. Application and data team. The application portfolio team shall review the county's applications and data inventory, policies, standards and investments and recommend changes and improvements to the technology management board;

3. Infrastructure team. The infrastructure team shall review the county's infrastructure inventory, policies, standards, and investments and recommend changes and improvements to the technology management board; and

4. Finance and budget team. The finance and budget team shall review budgets and cost benefit analyses related to all technology program funding requests and recommend these requests or changes to these requests to the technology management board.

E. The technology management board may convene such additional ad hoc committees as are determined to be necessary by the technology management board to focus on specific topics or issues. These committees shall review topics and report back findings to the technology management board.

F. Formal votes shall be taken and recorded on all recommendations and endorsements.

G. Members of the technology management board shall serve without compensation. (Ord. 14155 § 4, 2001).

#### **2.16.07585 Project review board.**

A. The project review board is hereby created. The board shall act in an advisory capacity to the county's chief information officer in implementing the project management guidelines developed by the central information technology project management office as described in K.C.C. 2.16.0758 A through E. As appropriate, the board also may assume the project oversight role assigned to the project management office under K.C.C. 2.16.0758 F through K. The members shall be: the chief information officer, the assistant county executive operations I, the director of the office of management and budget and the director of the department of executive services.

B. The King County chief information officer shall serve as the chair of the project review board.

C. Ad hoc project review teams may be convened as determined to be necessary by the project review board to focus on specific projects. Each ad hoc project review team will include the project's sponsoring agency director. These teams shall report back findings to the board.

D. Formal votes shall be taken and recorded on all recommendations and endorsements. (Ord. 14561 § 5, 2002: Ord. 14155 § 5, 2001).

#### **2.16.080 Seattle-King County department of public health.**

A. Since 1951, the city of Seattle and the county have jointly financed and operated a city-county health department. As of January 1, 1981, the city of Seattle and the county established a combined city-county health department known as the Seattle-King County department of public health under chapters 70.05 and 70.08 RCW and certain city ordinances and county resolutions and ordinances. The director of the department shall be jointly appointed by the mayor of the city and the county executive, subject to confirmation by the city and county councils, and may be removed by the county executive, after

consultation with the mayor, upon filing a statement of the reasons therefor with the city and county councils as authorized by RCW 70.08.040. The director shall be responsible for the management of the department.

B. As provided in the agreement between King County and the city of Seattle entitled "1996 Agreement Regarding the Seattle-King County Department of Public Health" approved by the county council by Motion 9999, the department shall be responsible for providing a functionally integrated set of services and programs that are fully responsive to urban, suburban city and unincorporated communities. The department shall achieve and sustain healthy people and healthy communities throughout King County by providing public health services that promote health and prevent disease, including, but not limited to: providing needed or mandated prevention or intervention services to address individual and community health concerns; assessing and monitoring the health status of communities; preventing disease, injury, disability and premature death; promoting healthy living conditions and healthy behaviors; and controlling and reducing the exposure of individuals and communities to environmental or personal hazards. The department shall assess the health of King County residents and communities, facilitate planning to develop responses to issues which affect the public's health and evaluate the effectiveness of programs and initiatives which address these issues. The department shall include an emergency medical services division, an environmental health division, a prevention division, a community oriented primary care division, an alcohol, tobacco and other drug abuse prevention division, an administrative services division and regional services areas. The department shall manage children and family programs and shall provide administrative support to the children and family commission.

(King County 12-2002)  
ADMINISTRATION

2.16.080

C. To fulfill the purpose of reducing death and disability from accidents, acute illness, injuries and other medical emergencies, the duties of the emergency medical services division shall include the following:

1. Track and analyze service and program needs of the emergency medical services system in the county, and plan and implement emergency medical programs, services and delivery systems based on uniform data and standard emergency medical incident reporting;
2. Set standards for emergency medical services training and implement emergency medical service personnel training programs, including, but not limited to, public education, communication and response capabilities and transportation of the sick and injured;
3. Coordinate all aspects of emergency medical services in the county with local, state and federal governments and other counties, municipalities and special districts for the purpose of improving the quality and quantity of emergency medical services and disaster response in King County; and
4. Analyze and coordinate the disaster response capabilities of the department.

D. The duties of the environmental health division shall include the following:

1. Inspect and monitor regulated facilities to ensure compliance with public health codes, rules and regulations;
2. Investigate complaints or special programs, such as disease outbreaks, sewage spills or toxic spills, identified by the public, the media or public officials;
3. Advise or educate the public on health risks associated with environmental hazards; and
4. Enforce public health codes, rules and regulations within the jurisdictions of the division.

E. The duties of the prevention division shall include the following:

1. Reduce the public's exposure to communicable diseases through surveillance and outbreak investigation;
2. Lower the occurrence of chronic diseases, injury and violence in the community through strategies which reduce the frequency of risk factors for these conditions;
3. Promote and provide public education and research in the development of prevention models;
4. Perform specific public health services including vital statistics and laboratory functions; and
5. Perform medical examiner and statutory coroner duties, except for the holding of inquests, which function is vested in the county executive.

F. The community oriented primary care division shall focus the department's clinical leadership, health services and expertise and strengthens quality systems and effective care partnerships with government, business and community-based organizations. To maintain the community health care system, the duties of the division shall include the following:

1. Develop benchmarks of service quality, clinical guidelines and standards of excellence for the health department;

2. Provide leadership and coordination with health care providers, government agencies, businesses and community groups in the provision of primary health services to at-risk populations in King County;

3. Develop, implement and monitor a systematic, comprehensive system of health service delivery in King County that improves health outcomes by connecting community-based intervention and strategies with the health care of individuals;

4. Develop responsive service delivery and access mechanisms to meet the changing health care needs of at-risk populations in King County; and

5. Provide basic primary care services to detainees of the King County adult detention facilities.

G. The duties of the alcohol, tobacco and other drug abuse prevention division shall include the following:

1. Administer, staff and provide technical expertise to department programs related to the prevention of alcoholism and substance abuse;

2. Provide prevention services on alcoholism and other drug addictions under federal and state laws and King County ordinances;

3. Link and integrate alcohol, tobacco and other drug abuse interventions with public health functions and activities; and

4. Provide for the delivery of alcohol, tobacco and other drug abuse services in correctional facilities.

H. The duties of the administrative services division shall include the following:

1. Provide administrative and technical support to the department;

2. Oversee the administrative systems and activities of the department; and

3. Provide general support within the department as authorized elsewhere in this chapter.

(King County 12-2002)

#### ADMINISTRATIVE OFFICES AND EXECUTIVE DEPARTMENTS

2.16.080 - 2.16.100

I. In addition to divisions, the department shall be organized into regional service areas that will directly provide department activities, services and programs within identified geographic boundaries in the county. (Ord. 14561 § 6, 2002: Ord. 13326 § 2, 1998: Ord. 12529 § 2, 1996).

#### **2.16.097 Civil fines and civil penalties – write offs.**

A. Receivable civil fines, civil penalties and abatement costs assessed pursuant to Title 23 may be written off by the director of the department of development and environmental services, with the concurrence of the county administrative officer, under the following circumstances:

1. When the costs of the effort to collect the civil fine or penalty exceeds the recoupable fines and penalties, or

2. When the civil fine, penalty or abatement cost is determined to be uncollectable in the foreseeable future.

B. The director shall document the circumstances under which a decision was made to write off a civil fine, penalty or abatement cost. (Ord. 14199 § 17, 2001: Ord. 13263 § 42, 1998).

#### **2.16.100 Career service exemptions.**

A. Exemptions from the requirements of the career service personnel system shall be consistent with the provisions of Sections 550, 350.10 and 350.20 of the King County Charter. Key subordinate units, as determined by the county council, and departmental divisions shall be considered to be executive departments. Divisions of administrative offices shall be considered to be administrative offices for the purpose of determining the applicability of the charter provisions.

B. The county administrative officer, directors, chief officers and supervisors of departments, administrative offices, divisions, key subordinate units and other units of county government as required by law shall be exempt from the requirements and provisions of the career service personnel system.

C.1. The following are determined by the council to be key subordinate units due to the nature of the programs involved and their public policy implications and appointments to these positions shall be subject to confirmation by the council:

a. the director of the public defense division;

b. the chief information officer of the administrative office of information resource management;

c. the manager of the records, elections and licensing services division; and

d. the superintendent of elections of the elections section of the records, elections and licensing services division.

2. When an ordinance is enacted designating a position as a key subordinate unit, no person then serving in the position shall continue to serve for more than ninety days after such enactment, unless reappointed by the executive and confirmed by the council.

D. If an administrative assistant or a confidential secretary, or both, for each director, chief officer of an administrative office and supervisor of a key subordinate unit are authorized, those positions are exempt from the requirements and provisions of the career service personnel system. (Ord. 14570 § 2, 2003: Ord. 14516 § 4, 2002: Ord. 14199 § 18, 2001: Ord. 14036 § 2, 2001: Ord. 11955 § 12, 1995).

2.16.110

(King County 3-2003)  
ADMINISTRATION

**2.16.110 Appointment and confirmation of exempt officials.**

A. The county executive shall appoint the county administrative officer and the director of each executive department, except the departments of assessment, public safety and judicial administration. The county executive shall also appoint the division director of the youth detention facility through a competitive search process that includes participation by the superior court judges.

B. The county administrative officer shall appoint the division directors and chief officers of each administrative office in the department of executive services.

C. The director of each executive department, at the discretion of the county executive, shall appoint exempt employees of his or her department as provided in Section 550 of the King County Charter.

D.1. All appointments by the county executive shall be subject to confirmation by a majority of the county council except exempt personnel assigned to his or her personal staff.

2. All appointments to positions of division director or chief officer of an administrative office not made by the county executive shall be subject to approval by the county executive.

E.1. All individuals appointed by the county executive, under Section 340.40 of the King County Charter, shall serve in an acting capacity, unless confirmed by the council. The executive is authorized to appoint a person to serve in an acting capacity to fill a position requiring council confirmation for a period of no greater than one hundred fifty days. The executive shall notify the council within ninety days concerning the status of his or her search for qualified candidates for appointment to the vacant position. Thereafter, the individual may continue serving in an acting capacity for successive sixty-day periods only with approval by motion of the county council. The council shall grant at least one successive sixty-day extension if the executive certifies to the council's satisfaction that the executive is actively pursuing a search for qualified candidates for appointment to the vacant position. If no appointment is transmitted to the council for confirmation during the authorized period, the position shall be considered vacant for purposes of exercise of any authority given to the position under ordinance and no salary shall be paid for the position while it is so vacant.

2. Within seven calendar days of any executive appointment that is subject to council confirmation, the executive shall deliver written notice of said appointment to the council accompanied by a proposed motion confirming the appointment.

3. Upon the receipt of the notification by the executive of an appointment, accompanied by the proposed motion, the council shall act to consider confirmation of the appointment within ninety days. Approval of the introduced motion by a majority of the council shall constitute confirmation of the appointee. Once confirmed, the appointee is no longer serving in an acting capacity.

4. In considering the confirmation of executive appointments to offices of management level responsibility, the council shall base its review on the ability of the appointee to meet the following criteria:
- a. a demonstrated reputation for integrity and professionalism;
  - b. a commitment to and knowledge of the responsibilities of the office;
  - c. a history of demonstrated leadership, experience and administrative ability;
  - d. the ability to work effectively with the executive, the council, other management, public agencies, private organizations and citizens; and
  - e. a demonstrated sensitivity to and knowledge of the particular needs and problems of minorities and women.

(King County 3-3003)

ADMINISTRATIVE OFFICES AND EXECUTIVE DEPARTMENTS

2.16.110 - 2.16.120

5. The appointee, before review of the appointment by the council, shall submit to the chair of the council:
- a. a full and complete resume of his or her employment history, to include references attesting to the stated employment experiences; and
  - b. a signed statement acknowledging that the council's confirmation process may require the submittal of additional information relating to the background and expertise of the appointee.

6. Upon receipt of an executive appointment, the chair or his or her delegate, subject to the council's rules of procedure, shall notify council members of the appointment and attempt to allow a minimum of one work week for individual members to submit written questions to the reviewing committee.

It is understood that written inquiries submitted to the reviewing committee, by individual council members, may require a written response from the appointee or the executive, in matters pertaining to the process of appointment and other pertinent employment policies of King County. (Ord. 14199 § 19, 2001; Ord. 13668 § 4, 1999; Ord. 11955 § 13, 1995).

**2.16.120 Department of adult and juvenile detention – duties – divisions.\***

A.1. The department of adult and juvenile detention is responsible to manage and be fiscally accountable for the Seattle division, the Kent division, the juvenile division, the community corrections division and the administrative services division, each of which shall have equal standing within the department. Through the Seattle division and the Kent division, the department shall operate the King County adult correctional facility and the security operation of the work and education release unit in Seattle and the Regional Justice Center adult correctional facility in Kent. Through the juvenile division, the department shall operate the county's juvenile detention facility. Through the community corrections division the the department shall administer programs that provide alternatives to confinement in the adult correctional facilities, as well as services and support functions directed toward reduction of the adult correctional facilities' populations. Through the administrative services division, the department shall administer personnel operation, budget and fiscal operations and other central support services for the department. In addition, the administrative services division shall be responsible for the administration and monitoring of jail health expenditures and services through a jail health levels of service agreement and contract with its health services contractor. The division shall monitor the provision of health care services and is responsible for ensuring that minimum inmate health care needs are met and monitoring the cost-containment provisions for both operational and health care related costs.

2. The judges of the superior court have final authority for approval of all screening criteria for admission to the juvenile detention facility and alternatives to confinement in the juvenile detention facility.

The department shall implement such criteria approved by the superior court related to the juvenile detention facility. The department shall implement the criteria approved by the superior and district courts related to adult detention facilities and alternatives to confinement.

B. The duties of the Seattle division and the Kent division shall include the following:

1. House adult persons who are any combination of arrested for, charged for or held on investigation of a criminal offense;
2. House adult persons during trial, and before sentencing after conviction;
3. House adult persons serving sentences not exceeding one year;
4. Maintain records and process and identify property of persons confined or committed to correctional facilities operated by the division;
5. Perform functions related to residential and building security, including supervision of persons confined or committed to correctional facilities operated by the division;
6. Transport confined or committed adult persons to and from court and provide secure escort of those persons outside the facilities;
7. Provide nutritional meals daily to confined or committed adult persons, including preparation of special meals in response to medical and religious requirements;
8. Provide health care to confined or committed adult persons in conjunction with the Seattle-King County department of public health, including medical, dental and psychiatric care;

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\* See K.C.C. chapter 3.13A for training in the department of adult detention and K.C.C. Title 5 for Regional Justice Center.

2.16.120 - 2.16.130

(King County 12-2002)  
ADMINISTRATION

9. Provide social services to and for confined or committed adult persons, including, but not limited to, the following: classifying those persons; evaluating mentally ill or developmentally disabled confined or committed persons, including referral to available community programs; reviewing those persons with psychiatric problems; reviewing other special population groups; providing general population group management; and providing outside agency access to those persons including special visitation, library, recreational and educational services; and

10. Ensure compliance with laws and regulations applicable to the management and operation of the correctional facilities.

C. The principle function of the juvenile division is to operate the county's juvenile detention facility in a safe, secure and humane manner as prescribed by state law and court rules. The juvenile division shall administer alternatives to secure detention as approved by the court, a school program, a health program and other related programs. The juvenile division shall be operated in a manner that will give reasonable access to the defense bar, juvenile probation counselors and social service providers and educators, consistent with appropriate security measures and public safety.

D. The duties of the administrative services division shall include administering personnel operations, budget and fiscal operations and other central support services involving all divisions in the department to ensure consistency and efficiency of operations. The department's director [of] the administrative services division shall oversee these operations and services, and the operations and services shall conform to county policies and procedures and to department guidelines and practices. (Ord. 14561 § 8, 2002; Ord. 13668 § 5, 1999; Ord. 12432 § 2, 1996).

#### **2.16.122 Community corrections division.**

A. The community corrections division is established as a subordinate administrative office under King County Charter Section 350.10. the division manager shall be subject to the provisions of King County Charter Section 340, requiring that the appointed division manager be subject to council confirmation. The department shall provide administration, analytic and other support to the division.

B. The duties of the community corrections division shall include:

1. Based on screening criteria approved by the superior and district courts, implementation of alternatives to adult detention, including, but not limited to, electronic home detention, work and education release, day and evening reporting and work crews;
2. Assessment of the needs of adult persons place in alternatives to detention; and
3. Contracting with private nonprofit community agencies to provide services for relicensing offenders. (Ord. 14561 § 9, 2002).



### **2.16.130 Department of community and human services.**

A. The department of community and human services is responsible to manage and be fiscally accountable for the community services division, mental health, chemical abuse and dependency services division, public defense division, and the developmental disabilities division.

B. The duties of the community services division shall include the following:

1. Working in partnership with communities and other funders to develop, support and provide human services which emphasize prevention, early intervention, and community education, and which strengthen individuals, families and communities in King County;

2. Managing programs which increase family self-sufficiency, enhance youth resiliency, reduce community violence and strengthen communities. The division shall also manage programs which address housing and community development needs, and help implement improvements identified in subarea and neighborhood plans for low and moderate income communities and population. Such programs are to include, but not be limited to, providing employment and training for youth and adults and providing assistance to indigent veterans and their families as authorized by chapters 41.02 and 73.08 RCW. This division shall administer the county's federal housing and community development funds and other housing and community development programs; and

3. Developing housing and community development policies and programs to implement the growth management policies throughout King County to provide affordable housing to low and moderate income residents.

C. The duties of the mental health, chemical abuse and dependency services division shall include the following:

1. Managing and operating a system of mental health services for acutely disturbed, seriously disturbed and chronically mentally ill children and adults;

2. Managing and operating a twenty-four-hour crisis response system, including civil commitment as a last resort;

(King County 12-2002)

ADMINISTRATIVE OFFICES AND EXECUTIVE DEPARTMENTS

2.16.130 - 2.16.140

3. Providing treatment and rehabilitation service for alcoholism and for other drug addictions under federal and state laws and King County ordinances;

4. Selecting appropriate agencies for the provision of mental health services developing, implementing and monitoring the provision and outcomes of contracted services;

5. Being responsible for resource management of a comprehensive mental health system including provision of staff support to appropriate advisory boards, and serving as liaison to federal, state, and other governments and relevant organizations in carrying out planning and allocation processes;

6. Ensuring the continuing availability of appropriate treatment services for eligible individuals with a single diagnosis of a mental illness or a substance use or dependency disorder; and

7. Developing and maintaining a continuum of appropriate treatment services for eligible individuals with dual diagnoses of both a mental illness and a substance use or dependency disorder.

D. The duties of the public defense division shall include those duties specified in K.C.C. chapter 2.60.

E. The duties of the developmental disabilities division shall include the following:

1. Managing and operating a system of services for persons with developmental disabilities in accordance with relevant state statutes and county policies and to provide staff support to the King County board for developmental disabilities; and

2. Negotiating, implementing and monitoring contracts with community agencies for the provision of developmental disabilities services. (Ord. 13666 § 1, 1999: Ord. 13498 § 1, 1999: Ord. 13326 § 1, 1998: Ord. 11955 § 6, 1995).

### **2.16.140 Department of transportation – duties – divisions.**

A. The department of transportation is responsible to manage and be fiscally accountable for the road services division, transit division, fleet administration division and airport division. The department shall perform the metropolitan public transportation function as authorized in chapter 35.58 RCW, K.C.C. Title 28 and other applicable laws, regulations and ordinances; provided, that financial planning for and administration of the public transportation function shall be conducted consistent with financial policies as may be adopted by the council. The department shall administer the county roads function as authorized in applicable sections of Titles 36 and 47 RCW and other laws, regulations and ordinances as may apply. The department's functions include, but are not limited to, the activities set forth in subsections B through E of this section for each division, administration of grants and the coordination of

transportation planning activities with other county agencies and outside entities to integrate transportation planning and land use planning.

B. The road services division is responsible to design, construct, maintain and operate a comprehensive system of roadways and other transportation facilities and services to support a variety of transportation modes for the safe and efficient movement of people and goods and delivery of services. The duties of the division shall include the following:

1. Designing, constructing and maintaining county roads, bridges and associated drainage facilities;
2. Designing, installing and maintaining county traffic signs, markings and signals;
3. Designing, installing and maintaining bicycle and pedestrian facilities;
4. Managing intergovernmental contracts or agreements for services related to road maintenance and construction and to other transportation programs supporting the transportation plan;
5. Inspecting utilities during construction and upon completion for compliance with standards and specifications; assuring that public facilities disturbed due to construction are restored;
6. Performing detailed project development of roads capital improvement projects that are consistent with the transportation element of the county's Comprehensive Plan, and coordinating such programming with other county departments and divisions assigned responsibilities for Comprehensive Plan implementation;
7. Incorporating into the roads capital improvement program those projects identified in the transportation needs report, community plans, related functional plans and elsewhere consistent with the county's Comprehensive Plan;
8. Preparing, maintaining and administering the county road standards;
9. Preparing and administering multi-year roads maintenance and capital construction plans and periodic updates; and
10. Administering the transportation concurrency and mitigation payment programs.

2.16.140

(King County 12-2002)  
ADMINISTRATION

C.1. The transit division is responsible for the operation and maintenance of a comprehensive system of public transportation services in King County. The duties of the division shall include the following:

- a. providing all necessary customer services including telephone and other customer information and support systems; managing sales and distribution of fare media, research, market strategies and marketing functions;
- b. implementing programs, policies and strategies for the public transit in King County; developing and scheduling new products and service and managing contract services;
- c. developing and implementing transportation programs under the Americans with Disabilities Act of 1990 (ADA) including preparing policy recommendations and service models and contracting for the delivery of service;
- d. delivering and managing transit service in the county including service quality and service communication functions;
- e. managing and maintaining the transit system infrastructure, including trolley power distribution and overhead systems, bases, customer facilities, and the radio communication and data system;
- f. maintaining transit rolling stock including all revenue vehicle fleets and those vehicles required to support the operation of the transit system, except such vehicles as may be included in the motor pool; managing a central stores function, unit repair facilities and all purchasing activities relative to the procurement of the revenue vehicle fleet;
- g. managing the design, engineering and construction management functions related to the transit capital program including new facilities development and maintenance of existing infrastructure; providing support services such as project management, environmental review, permit and right-of-way acquisitions, schedule and project control functions;
- h. managing rideshare operations functions including vanpool, carpool, and regional ride matching programs; and
- i. preparing and administering public transportation service and supporting capital facility plans and periodic updates.

2. The council may assign responsibility for services ancillary to and in support of the operation and maintenance of the metropolitan public transportation system under chapter 35.58 RCW, including,

but not limited to, human resources, accounting, budgeting, finance, engineering, fleet administration, maintenance, laboratory, monitoring, inspection and planning, as it determines appropriate.

D. The duties of the fleet administration division shall include the following:

1. Acquiring, maintaining and managing the motor pool and equipment revolving fund for fleet vehicles and equipment including, but not limited to, vehicles for the department of natural resources and parks, facilities management division, and transportation nonrevenue vehicles. Transportation department vehicles determined by the director to be intricately involved in or related to providing public transportation services shall not be part of the motor pool;

2. Establishing rates for the rental of equipment and vehicles;

3. Establishing terms and charges for the sale of any material or supplies which have been purchased, maintained or manufactured with money from the equipment revolving fund;

4. Managing training programs, stores function and vehicle repair facilities;

5. Administering the county alternative fuel program and take-home assignment of county vehicles policy; and

6. Inventorying, monitoring losses and disposing of county personal property in accordance with K.C.C. chapter 4.56.

E. The airport division is responsible for managing the maintenance and operations of the King County international airport. The duties of the division shall include the following:

1. Developing and implementing airport programs under state and federal law including preparing policy recommendations and service models;

2. Managing and maintaining the airport system infrastructure;

3. Managing, or securing services from other divisions, departments or entities to perform, the design, engineering and construction management functions related to the airport capital program including new facilities development and maintenance of existing infrastructure; providing support services such as project management, environmental review, permit and right-of-way acquisitions, schedule and project control functions; and

4. Preparing and administering airport service and supporting capital facility plans and periodic updates. (Ord. 14199 § 20, 2001: Ord. 13997 § 1, 2000: Ord. 12441 § 4, 1996: Ord. 11955 § 11, 1995).

(King County 12-2002)

ADMINISTRATIVE OFFICES AND EXECUTIVE DEPARTMENTS

2.16.175 - 2.16.210

**2.16.175 Juvenile court services – detention facilities – administration by the county executive.**

A. The responsibility for the administration of detention services, together with building maintenance, are transferred to the county executive from the King County superior court, subject to subsection B of this section.

B. The administration of detention services shall revert to the judges of the superior court if a majority of the judges find that any one or more of the following conditions are not being complied with and that the interests of juveniles or the community require reversion, except that, before such a vote, the superior court and the executive shall first meet and attempt to resolve any concerns:

1. The services that are being transferred to the executive shall be maintained at a level consistent with and providing for the needs of juveniles, over whom the superior court has jurisdiction, and of the needs of the community in relation to those juveniles;

2. The detention facility and all detention services for juveniles shall be operated separately from the adult detention facility so that there is no contact, physically or programmatically, between juvenile offenders and adult inmates;

3. The manager of the youth detention facility shall be at least at the level of a division manager within the newly created department of juvenile and adult detention. Upon a vacancy, the executive shall replace the manager of the youth detention facility through a competitive search process that includes participation from the superior court;

4. The staff of adult detention and juvenile detention shall be separate and distinct. Staff of the adult detention facility shall not be assigned to the juvenile detention facility without having received adequate training to qualify as a juvenile detention officer. The superior court shall participate in the development of the training curriculum that is provided to juvenile detention officer.

C. The county executive, sheriff, prosecuting attorney, presiding judges of the superior court and district court, chair of the law and justice committee of the county council, the director of the department of adult detention, the director of community and human services and the director of judicial administration constitute the members of the criminal justice council. The criminal justice council shall act as adviser to the superior court in the oversight of the juvenile detention facility. The criminal justice

council shall establish a subcommittee to assist with the oversight. The criminal justice council subcommittee charged with assisting in the oversight shall provide opportunity for participation by citizens and the public defender agencies providing services to juveniles. During the summer of 2001, the criminal justice council shall conduct an evaluation to review the performance of the juvenile detention division and to make recommendations to the superior court on whether juvenile detention should remain in the department of adult and juvenile detention and whether probation related services should remain under the court's supervision. (Ord. 13668 § 3, 1999).

**2.16.190 Liability.** Nothing contained in this chapter is intended to be nor shall be construed to create or form the basis for any liability on the part of the county, or its officers, employees or agents, for any injury or damage resulting from any act or omission in connection with the implementation or enforcement of this chapter on the part of the county by its officers, employees or agents. (Ord. 11955 § 14, 1995).

**2.16.210 Department of assessments – duties – divisions.** The department of assessments is administered by the county assessor, who performs duties specified by general law. The primary purpose of the department is to establish the value of property in King County subject to ad valorem taxation.

The department is responsible to manage and be fiscally accountable for the following divisions:

A. RESIDENTIAL APPRAISAL DIVISION. The functions of the residential appraisal division include:

1. Cyclic appraisal of all real property in King County, including incorporated areas, for property tax purposes.
2. Field inspection and valuation of all real property, new construction and subdivisions.
3. Defense of valuations before the King County board of equalization, Washington State Board of Tax Appeals, and in courts of law.

B. PROGRAM PLANNING DIVISION. The functions of the program planning division include:

1. Planning and coordination of computer system requirements for the department, including liaison with the computer and communication services division of the department of information and administrative services of executive administration.

(King County 12-2002)  
ADMINISTRATION

2.16.210 - 2.16.300

2. Statistical analysis and management information reporting to support valuation of property.

C. ADMINISTRATIVE SERVICES DIVISION. The functions of the administrative services division include:

1. Managing the department's public information unit to provide access to computer information regarding assessments, property characteristics, property history, and tax bill information.
2. Managing property and office rentals for the department.
3. Administrative functions of the department including personnel, budget, payroll, and resources needed by department appraisers to discharge their responsibilities.
4. Coordinating all training for department employees.

D. ACCOUNTING DIVISION. The functions of the accounting division include:

1. Setting levy rates, levy codes, and tax district boundaries, certification of the tax roll for collection to the treasury division of the office of financial management, exemptions and refunds, entering information in the computer master files and setting up new real property parcels such as plats and condominiums in assessment files.
2. Managing changes in real property and entering them on assessor maps and maintaining map overlays showing taxing districts, levy codes, zoning, appraisal areas, and wetland boundaries.
3. Providing work materials to the appraisal divisions and entering data from the residential and commercial appraisal divisions into the property based system computer files, maintaining residential and commercial property folios, and processing building permits.

E. COMMERCIAL DIVISION. The functions of the commercial division include:

1. Valuation of business related depreciable assets, such as machinery and equipment, in King County.
2. Valuation of leased business equipment in King County.
3. Valuation of mobile homes in King County.
4. Valuation of all commercial real property in King County.

F. CHIEF APPRAISER DIVISION. The functions of the chief appraiser division shall be to provide policy guidance on the interpretation and implementation of the uniform standards of professional appraisal practice.

G. DIVISION MANAGER STATUS. Each division manager shall be in an exempt status. Should personnel presently filling a position as division manager have career service status, the position will become exempt when a vacancy occurs. (Ord. 12475 § 1, 1996: Ord. 12075 § 4, 1996).

**2.16.250 Continuation of authorizations and duties, and changes to names of departments, divisions, offices, and director and manager positions in the King County Code.** From time to time, the council establishes, abolishes, combines or divides administrative offices, executive departments, and divisions. The King County Code is not always timely updated to reflect these changes in organization. Except as specifically provided in the ordinances effecting such organizational changes to departments offices and divisions, the authorizations and duties assigned to the previous departments, offices and divisions, and associated officials, shall continue to be exercised and performed by appropriate departments and offices, and the associated officials, in the current executive branch organization. (Ord. 14199 § 21, 2001: Ord. 12341 § 1, 1996).

**2.16.300 Severability.** The provisions of this title shall be effective in all cases unless otherwise provided by state or federal law. The provisions of this title are separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or other portion of this title or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this title or the validity of the application to other persons or circumstances. (Ord. 11955 § 17, 1995).

(King County 12-2002)  
COUNTY AUDITOR

2.20.005 - 2.20.030

## **Chapter 2.20 COUNTY AUDITOR**

### **Sections:**

- 2.20.005 Audit office established.
- 2.20.010 Appointment.
- 2.20.015 Auditor selection process.
- 2.20.020 Qualifications.
- 2.20.030 Term of office.
- 2.20.035 Types of audits.
- 2.20.040 Scope of authority.
- 2.20.045 Audit work program.
- 2.20.050 Reporting of formal audits.
- 2.20.060 Oath administration.
- 2.20.070 Violation enjoinderment.
- 2.20.080 Staff.

**2.20.005 Audit office established.** There is hereby established within the legislative branch, pursuant to Section 250 of the King County charter, the county audit office. The organization and administration of the audit office shall be sufficiently independent to assure that no interference or influence external to the office shall adversely affect an independent and objective judgment by the auditor. The office shall be generally responsible for assisting the county council in its oversight function through the conduct of financial and management audits of county agencies under the directorship of the county auditor. The office shall be provided a discrete budget and staffing allowance. (Ord. 8264 § 1, 1987).

**2.20.010 Appointment.** The King County auditor shall be appointed by a majority of the council following a selection and screening process as herein described. (Ord. 8264 § 2, 1987: Ord. 394 § 1, 1970).

**2.20.015 Auditor selection process.**

- A. The selection process shall include at a minimum the following:
  - 1. Review and update of the auditor's job classification description.
  - 2. Advertise regionally the availability of the position.
  - 3. Establishment of an ad hoc auditor screening committee responsible for the screening and preliminary interviewing of candidates.
  - 4. Final interview and selection of appointee by the council.
- B. The auditor screening committee shall be composed of five members appointed by the council and selected as follows:
  - 1. Two members from either a private sector accounting firm or other government agency with experience in accounting and financial management operations, preferably certified public accountants.
  - 2. Two members from either private sector or non-profit organizations with executive experience and a background in program evaluation.
  - 3. One member who is a non-elected member of the legislative branch.
- C. The screening committee shall screen, interview and score applicants for the auditor position, making a slate of the top five ranking candidates for the council's consideration. The committee shall also be formed to make recommendations to the council on any decision to reappoint the auditor. (Ord. 8264 § 3, 1987).

**2.20.020 Qualifications.** The auditor selected shall be a person able to analyze problems of fiscal controls, management and administration and public policy and shall not be actively involved in partisan affairs. (Ord. 394 § 2, 1970).

**2.20.030 Term of office.** The auditor shall serve a term of four years, or for a specified period less than four years which shall be set by the majority of the council at the time of appointment, unless removed for cause at any time by vote of two-thirds majority of the council, and shall be reconsidered for reappointment at the end of the term of office. (Ord. 3455 § 1, 1977: Ord. 394 § 3, 1970).

2.20.035 - 2.20.040 (King County 12-2002)  
ADMINISTRATION

**2.20.035 Types of audits.** The auditor, as a minimum, shall be responsible for performing the following types of audits:

- A. Financial and compliance audits – to determine whether financial operations are being properly conducted, whether the financial reports of the audited agency are presented fairly, and whether the agency has complied with the applicable laws and regulations. These audits shall be used to supplement the financial and compliance audits conducted by the state pursuant to statute.
- B. Economy and efficiency audits – to determine whether the agency is managing or utilizing its resources in an economical and efficient manner, and the causes of any inefficiencies or uneconomical practices.
- C. Program results audits – to determine whether the desired results or benefits are being achieved, whether the objectives established by the council are being met, and whether the agency has considered alternatives which might yield desired results at a lower cost.
- D. Special studies – essentially informally conducted audits used to evaluate program effectiveness or efficiency under specific circumstances or when directed by the council. (Ord. 8264 § 4, 1987).

**2.20.040 Scope of authority.** The county auditor shall perform the following functions and be charged with the following responsibilities for the council. Council review and control of county administration consists of all methods and procedures used by that legislative body to secure faithful, efficient and effective administration of county programs. The following summary of objectives shall be the audit functions:

- A. To determine the extent to which legislative policies are being faithfully, efficiently and effectively implemented by administrative officials. From this oversight process, there may be developed information necessary for the council to take corrective action with respect to administration or to revise legislative policies if they are found to be inappropriate or inadequate;

B. To determine whether county programs are achieving their desired objectives. This step may provide information on the need for changing, deleting or modifying programs or program elements through additional legislation;

C. To review both the administrative control and executive control systems as established by the agency or department heads and by the county executive respectively, and to determine that such control systems are adequate and effective in accomplishing their objectives. Through the review of the control systems the council will be better able to judge whether an agency is organized and administered in such a way as to be able to competently carry out its responsibility;

D. To hold accountable county officials in their use of public funds and other resources at their disposal. This includes examination of financial statements and the legality and prudence of expenditures; the efficient use of all resources including the elimination of wasteful practices; and the satisfactory implementation of programs;

E. To investigate whether or not laws are being administered in the public interest, to determine if there have been abuses of discretion, arbitrary actions, or errors of judgment; and to encourage diligence on the part of administrative officials;

F. To submit reports to the council resulting from periodical post audits of each department or account. The auditor shall have access to the books and accounts of all county departments, officials or employees charged with the receipt, custody or safekeeping of public funds;

G. To give information to the county council whenever required upon any subject relating to the financial affairs of the county;

H. To make periodic reports to the council which shall include and not be limited to the following:

1. To determine whether departments, officials and employees, in making expenditures, have complied with the will of the council, state laws and the State Constitution,

2. To give information of proposals as he deems expedient in support of the county's credit, as well as make recommendation for lessening expenditures, for promoting frugality and economy in county affairs and for an improved level of fiscal management,

3. To report matters concerning the effectiveness and efficiency of the programs and operation of the county;

4. To be empowered to take exception to improper specific expenditures incurred by any department or person,

5. To promptly report any irregularities to the county council;

(King County 12-2002)

COUNTY AUDITOR

2.20.040 - 2.20.060

I. To examine and inspect all books, records, files, papers, documents and information stored on computer records relating to all financial affairs of every office and department, political subdivision and organization which receive appropriations from the county. The auditor, subject to council approval, may require any person to appear before him at any time when given proper notification to produce any accounts, books, records, files and papers but not including personal papers in the possession or control of such person as shall appear to be unnecessary for the purpose of the examination and not kept as a part of his public responsibilities. If such person fails to produce the aforementioned papers, then the auditor, subject to council approval, may cause a search to be made and exhibits to be taken from any book, paper or record in the custody of any such person or public official without paying any fee except for reproduction costs; and every office having the custody of such books, records, files, papers and documents shall make a search and forward such exhibits as heretofore requested. (Ord. 1565 § 1, 1973).

#### **2.20.045 Audit work program.**

A. The council shall review and approve annually by motion a work program prepared by the auditor for the auditor's office. The work program shall include the various types of audits and any recommended special studies to be conducted and managed by the auditor. It shall also include any analytical staff work directed by the council which would fall outside of the regular definition of an audit or special study.

B. The council may move to amend the approved annual work plan to meet special circumstances as they may arise. However, no council initiated change to the work plan shall be made that adversely affects an audit or study in progress without the recommendation of the auditor.

C. If the auditor determines that there is serious concern regarding fraud, abuse or illegality, or that the scope of an audit or study in progress should be expanded as the result of any findings, the auditor is

authorized to initiate spontaneously and conduct, or expand the scope of, an audit beyond that approved in the work program. The auditor shall notify the council of the change. (Ord. 8264 § 5, 1987).

**2.20.050 Reporting of formal audits.**

A. The audit will be designed to define the performance of the agency in accordance with council and executive policy.

B. The audit will result in all cases in a written report. The report will detail those findings which are positive or negative observations concerning the agency's performance. The county executive and the county administrative officer will review the preliminary draft to amplify or clarify various issues and to offer additional recommendations. Matters of evaluation of performance other than these will not be the subject of preliminary review.

C. With technical changes incorporated, the audit report is to be finalized and sent to the agency, and/or the county executive for review. Two weeks after receiving the audit, the subject agency will be required to send a written reply to the auditor, detailing:

1. Disagreement with the findings which might explain agency action that is apparently inconsistent with policy;

2. Agency action which will be taken to correct deficiencies cited. In this regard, the agency will establish commitments in terms of dates by which changes will be incorporated.

D. Fourteen calendar days after delivering the report to the agency, the auditor shall release the report to the county council members for their review. If no agency response is included, the auditor will note this and the reason, if known.

E. The council shall designate a committee to receive and review all audits and special studies. That committee shall also be charged with providing on-going oversight for the performance of the office including the development of the work program.

F. After the release of the audit to the council, the auditor will file a copy as matter of public record with the records and elections division. (Ord. 8264 § 6, 1987: Ord. 1193 § 1, 1972: Ord. 682, 1971: Ord. 394 § 5, 1970).

**2.20.060 Oath administration.** The auditor may administer oaths to persons summoned to appear before him and may question such persons, under oath, concerning receipts and expenditures of moneys and concerning all other things and matters necessary for the due execution of the duties vested in him by this chapter. (Ord. 1565 § 2, 1973).

2.20.070 - 2.22.100

(King County 12-2002)  
ADMINISTRATION

**2.20.070 Violation enjoinder.** Notwithstanding the existence or use of any other remedy, the county auditor may seek regular or equitable relief to enjoin any acts or practices and abate any conditions which constitute or will constitute a violation of this code or other regulations herein adopted. (Ord. 1565 § 3, 1973).

**2.20.080 Staff.** The auditor, with consultation of the council, may employ staff assistants, clerical personnel or use services of public accounting firms or consultants as may be necessary for conduct of his office. (Ord. 1565 § 4, 1973).

**Chapter 2.22**  
**DEPARTMENT OF COMMUNITY AND HUMAN SERVICES**

**Sections:**

2.22.100 Opiate substitution treatment.

**2.22.100 Opiate substitution treatment.**

A. As used in this section, the following terms have the meanings set forth in this subsection.

1. "Certified opiate substitution treatment program" means an outpatient clinic certified for opiate substitution treatment by state and federal agencies and is located in King County.



2. "Client" means an individual accepted for opiate substitution treatment by a certified opiate substitution treatment program.
  3. "Council" means the King County council as defined by the King County Charter.
  4. "Department" means the King County department of community and human services.
  5. "Director" means the director of the King County department of community and human services.
  6. "Executive" means the King County executive as defined by the King County Charter.
  7. "Opiate substitution treatment" means dispensing an opiate substitution drug approved by the Federal Drug Administration for the treatment of opiate addiction and providing a comprehensive range of medical and rehabilitative services.
- B. Under the authority of RCW 70.96A.410, there shall be nine certified opiate substitution treatment programs licensed by King County to offer opiate substitution treatment; provided, that treatment programs so certified as of March 12, 1986, shall be licensed. Licensed certified opiate substitution treatment programs shall not have a caseload in excess of state requirements.
- C. Pursuant to K.C.C. chapter 2.98, RCW 70.96A.410 and applicable state rules, the director shall prepare and implement:
1. Procedures to annually license certified opiate substitution treatment programs as county opiate substitution treatment programs. The procedures shall require current state certification, compliance with state treatment rules, completion of all license application requirements established by the director and payment of the annual license fee. If an existing county licensed program loses its state certification, is found to be out of compliance with the treatment rules adopted by the state, fails to fulfill county licensing requirements or is no longer operating when its license expires, or if additional treatment capacity is found to be needed, then the director shall issue a new license or licenses but in no case more than a total of nine licenses to a certified program or programs meeting all county licensing requirements and that are already licensed, if determined able by the department to serve additional clients and if the sites used by the providers are consistent with local zoning codes and public process. However, if the county determines to provide opiate substitution treatment itself, these annual licensing procedures do not apply, and no licenses shall be issued to certified programs that are not operated by the county or the department. Also, the licenses shall expire twelve months from the date of issuance unless renewed. The director shall conduct a study of the feasibility of the county operating an opiate substitution treatment program; and
  2. Procedures to monitor and enforce the provisions of this section, RCW 70.96A.410 and 70.96A.420 and applicable state rules.

(King County 12-2002)

DEPARTMENT OF COMMUNITY AND HUMAN SERVICES

2.22.100 - 2.24.120

D. The director shall provide the annual report to the council. The report shall include the status of all county licensed opiate substitution treatment programs. The director shall consult with each treatment program license on or after March 1, 2000 regarding other promising means of treating addicts. The director shall provide a written report to the executive and each member of the council prior to September 1, 2000 on other possible alternative treatments. If the director feels that any of these alternative approaches have promise, then the director's report shall include suggestions on any steps needed to achieve more widespread use of alternative approaches.

E. The executive shall propose for council adoption an annual fee to be charged to each licensed certified opiate substitution treatment program to meet costs of carrying out the provisions of this section. The annual fee shall not be prorated or rebated for any reason.

F. Should any section, subsection, paragraph, sentence, clause or phrase of this section be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this section. (Ord. 13704 § 1 and 2, 2000: Ord. 12525 § 2, 1996: Ord. 11184 § 1, 1993: Ord. 7999, 1987: Ord. 7738 §§ 1-8, 1986: Ord. 5261 § 2, 1980: Ord. 2238 § 1, 1975).

## Chapter 2.24

### SEATTLE-KING COUNTY DEPARTMENT OF PUBLIC HEALTH\*

#### Sections:

- 2.24.110 Medical examiner – Generally.
- 2.24.120 Medical examiner – Subpoena issuance power and authority.
- 2.24.130 Medical examiner – Subpoena issuance enforcement.

**2.24.110 Medical examiner – Generally.** The duties and functions of medical examiner shall be performed by the Seattle-King County department of public health. The medical examiner shall be responsible for the administration and staffing of all department programs relating to the performance of autopsies and investigations of death as authorized by the statutes of the state of Washington, except as provided by this section. The chief medical examiner, who shall be a pathologist certified in forensic pathology, shall be appointed by the director of the department. Employees performing duties and functions of or related to the medical examiner, with the exception of specifically identified exempt positions, shall be members of the King County career service.

A. The chief medical examiner shall assume jurisdiction over human remains, perform autopsies and perform such other functions as are authorized by chapter 68.50 RCW and such other statutes of the state of Washington as are applicable, except for the holding of inquests, which function is vested in the county executive.

B. The chief medical examiner shall institute procedures and policies to ensure investigation into the deaths of persons so specified in chapter 68.50 RCW and to ensure the public health, except for the holding of inquests, which function is vested in the county executive.

C. The notice of the existence and location of a dead body required to be given by state law shall be given to the medical examiner. The medical examiner shall be responsible for control and disposition of personal property of deceased persons under the jurisdiction of the medical examiner. Such personal property shall be transferred to the next of kin or other legal representatives of the deceased. If such transfer cannot be made because there is no known next of kin or legal representative, or they are not available to accomplish the transfer within thirty days after the medical examiner assumes jurisdiction over the body of the deceased, the personal property shall be deposited with the King County comptroller, or transferred to an attorney pursuant to the institution of probate action. (Ord. 12525 § 3, 1997: Ord. 2878 § 3, 1976: Ord. 163 § 7, 1969).

**2.24.120 Medical examiner – Subpoena issuance power and authority.** The chief medical examiner is granted the power and authority to issue subpoenas to compel the production of medical and dental records, and such other documents as are necessary for the full investigation of any case under the jurisdiction of the medical examiner from any person, organization or other entity in possession of such records or documents. (Ord. 12525 § 4, 1997: Ord. 5057 § 1, 1980).

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\*[For further provisions regarding public health and safety, see K.C.C. Title 12.]  
 [See K.C.C. chapter 4.34 for excise tax authority.]

2.24.130 – 2.26.020

(King County 12-2002)  
 ADMINISTRATION

**2.24.130 Medical examiner – Subpoena issuance enforcement.**

A. Subpoenas issued by the chief medical examiner shall be enforceable through the Superior Court for King County.

B. In case of refusal or failure to obey a subpoena, the chief medical examiner may seek the aid of the King County prosecuting attorney to apply to the court for an order or other appropriate action necessary to secure enforcement of the subpoena.

C. Punishment for contempt for refusal or failure to comply with a subpoena shall be as provided by chapter 36.24 RCW and other applicable laws and court rules. (Ord. 12525 § 5, 1997: Ord. 5057 § 2, 1980).

## Chapter 2.26 EMERGENCY MEDICAL SERVICES DIVISION\*

**Sections:**

- 2.26.010 Establishment.
- 2.26.020 Duties.
- 2.26.030 Administration.
- 2.26.040 Review committee – Created.

- 2.26.050 Review committee – Membership – Terms – Appointment.
- 2.26.060 Review committee – Residency – Compensation.
- 2.26.070 Review committee – Application review – Rules and procedure adoption – Emergency medical service areas.
- 2.26.080 Review committee – Executive secretary – Quorum.
- 2.26.090 Review committee – Medical advisory council.

**2.26.010 Establishment.** There is established a Division of Emergency Medical Services within the King County Department of Public Health. (Ord. 2238 § 3, 1975: Ord. 1596 § 1, 1973).

**2.26.020 Duties.** The Division of Emergency Medical Services shall:

- A. Analyze the emergency medical needs and disaster response capabilities of the county;
- B. Set standards for the training and examination of emergency medical service personnel, equipment and facilities in the county, including, but not limited to, public education, communication and response capabilities, transportation of the sick and injured, and emergency facilities;
- C. Coordinate all aspects of emergency medical services in King County with federal and state governments, other counties, municipalities and special districts;
- D. Receive and dispense federal, state and local funds for the purpose of improving the quality and quantity of emergency medical services in King County;
- E. Implement emergency medical services training programs, public information procedures and/or delivery systems;
- F. Provide planning resources for emergency medical services and disaster responses for King County and local jurisdictions;
- G. Develop, promulgate and administer a program of identifying the resources and capabilities of hospital emergency facilities;
- H. Develop, implement and administer mobile intensive care paramedical programs in areas where feasible;
- I. Develop, implement and administer a program utilizing volunteer emergency medical care personnel in King County for search and rescue missions, and to respond to needs or requests for assistance from local agencies;
- J. Develop, implement and administer a program of uniform data collection and reporting of emergency medical care incidents;

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[For further provisions regarding public health and safety, see K.C.C. Title 12.]

[See K.C.C. chapter 4.34 for excise tax authority.]

(King County 12-2002)

EMERGENCY MEDICAL SERVICES DIVISION

2.26.020 – 2.26.090

K. Develop, implement and administer a program of coordination of private ambulance company operations in emergency situations which are under the supervision of public safety agencies. (Ord. 2369 § 1, 1975: Ord. 1596 § 2, 1973).

**2.26.030 Administration.** The management and administration of the Division of Emergency Medical Services shall be vested in the director of the King County Department of Public Health who shall appoint a manager as provided by Section 2.16.100 of this code. The staffing responsibilities shall be the responsibility of the manager in accordance with career service rules. (Ord. 2238 § 4, 1975: Ord. 1596 § 3, 1973).

**2.26.040 Review committee – Created.** There is created a King County emergency medical services review committee, hereinafter referred to as the “committee.” (Ord. 2377 § 1, 1975).

**2.26.050 Review committee – Membership – Terms – Appointment.** The committee shall consist of six members; the three members of the county board of health, one mayor of an incorporated city or town of King County other than the city of Seattle, one commissioner of a fire protection district of King County, and a commissioner of an operating hospital district of King County.

Members of the committee, other than the members of the county board of health, shall be appointed by the county executive subject to confirmation by the county council and shall serve terms of three years.

The committee chairman shall be the chairman of the county board of health. (Ord. 2377 § 2, 1975).

**2.26.060 Review committee – Residency – Compensation.** Members of the committee shall be residents of King County throughout their term and shall serve without compensation. (Ord. 2377 § 3, 1975).

**2.26.070 Review committee – Application Review – Rules and procedure adoption – Emergency medical service areas.** The committee shall be responsible for reviewing the applications of emergency medical service provider groups for funds or training services which King County may make available for the improvement of emergency medical services in the county and shall recommend the approval or denial of such applications to the county council.

Applications may be submitted by jurisdiction or group of jurisdictions acting in consort responsible or potentially responsible for the provision of emergency medical services within subcounty regions hereinafter referred to as “emergency medical service areas.”

The boundaries of emergency medical service areas shall be defined by the committee with proper regard being given to actual and potential response times, existing or planned dispatch/communications arrangements and the availability of viable mutual aid agreements.

The committee shall recommend to the county council for their adoption rules and procedures for the review of applications. These rules and procedures shall place emphasis on the county’s desire to have as quickly as possible a paramedic level of service available in those areas of the county where this is medically feasible. Further, the committee shall seek to insure maximum cooperation among service providers and to foster compliance with necessary medical standards.

All rules and procedures recommended by the committee and adopted by the council shall be made public as currently and hereafter amended. (Ord. 2377 § 4, 1975).

**2.26.080 Review committee – Executive secretary – Quorum.** The county health officer or his duly authorized representative shall serve as executive secretary of the committee and will be responsible for all records.

The committee may adopt such administrative procedures as are required to accomplish the purposes of Sections 8.64.040 through 8.64.090.

Four members of the committee shall constitute a quorum and a majority of such quorum may secure approval of a transaction of the committee. (Ord. 2377 § 5, 1975).

**2.26.090 Review committee – Medical advisory council.** The committee shall select a medical advisory council to assist it in its deliberations relating to medical matters. This council shall be chaired by the county health officer or his designee, who shall be a voting member of the committee. (Ord. 2377 § 6, 1975).

2.28.001 - 2.28.004

(King County 12-2002)  
ADMINISTRATION

## **Chapter 2.28 MEMBERSHIP ON BOARDS, COMMISSIONS AND COMMITTEES**

### **Sections:**

- 2.28.001 Applicability.
- 2.28.002 Appointment and confirmation.
- 2.28.003 Powers of appointees.
- 2.28.004 Vacancy.
- 2.28.005 Qualifications.
- 2.28.006 Per diem.
- 2.28.010 Terms of members of boards, commissions and committees.
- 2.28.020 Annual executive report required.

**2.28.001 Applicability.** All members of county boards and commissions shall be appointed, hold office, be confirmed or rejected according to the provisions of this chapter; provided, however, that this chapter shall not affect boards and commissions to the extent that they are expressly dealt with under state law, county charter or ordinance in a manner different than that set forth herein. (Ord. 11319 § 1, 1994).

**2.28.002 Appointment and confirmation.** The executive shall appoint members of boards and commissions by executing a letter of appointment when a vacancy exists. The letter shall be filed with the clerk of the council and the board of ethics. The executive shall transmit with the letter of appointment a draft motion confirming the appointment together with such supporting and background information regarding the appointee as the executive deems would assist the council in considering confirmation. The letter shall specify the position to which the member is being appointed and the length of the term being filled. Confirmation or rejection shall be by council motion. (Ord. 11319 § 2, 1994).

**2.28.003 Powers of appointees.**

A. An appointment shall be deemed to have been made on the date the letter of appointment is filed with the clerk of the council as required by section 2.28.002. All appointments are subject to confirmation or rejection by the council.

B. An appointee may exercise the powers of office beginning thirty (30) days after appointment or such earlier time as he or she is confirmed by the council. Appointees remain subject to later confirmation or rejection by the council.

C. Any member whose term has expired shall continue to serve until his or her successor is appointed and either is confirmed or is authorized to exercise official power under the provisions of paragraph B. of this section; provided, however, that the office of a holdover who has been reappointed and rejected by the council shall be deemed vacant and such holdover shall not exercise the powers of such office; and provided further that no member who has vacated an office as provided by law shall serve as a holdover in that office. (Ord. 11319 § 3, 1994).

**2.28.004 Vacancy.**

A. Grounds for vacancy. A position shall be deemed vacant upon the occurrence of any of the events specified in RCW 42.12.010 or the following events:

1. Withdrawal by an appointee who has not yet been confirmed;
2. Failure to continue to meet qualifications for appointment during the term of office.
3. Voluntary resignation prior to the expiration of an appointed term.

B. Notice of vacancy. Any board or commission receiving notice of events constituting a vacancy shall immediately give written notice of such vacancy to the executive and the clerk of the council.

C. Effect of vacancy. Until a successor is appointed and either confirmed or is authorized to exercise official power under the provisions of section 2.28.003 B., the board or commission shall be deemed temporarily reduced in number for all official purposes except as otherwise provided by law; provided, however, that no board or commission shall be temporarily reduced hereby to less than two members.

D. Appointment to fill vacancy, an unexpired term. A person appointed to fill an unexpired term shall be appointed to serve only to the completion of the original term of office. (Ord. 11319 § 4, 1994).

(King County 12-2002)

MEMBERSHIP ON BOARDS, COMMISSIONS AND COMMITTEES

2.28.005 - 2.28.020

**2.28.005 Qualifications.** The council by ordinance may specify qualifications for appointment to any or all boards and commissions; provided, however that such qualifications shall not reduce or eliminate qualifications otherwise required by law. (Ord. 11319 § 5, 1994).

**2.28.006 Per diem.** The council by ordinance may provide for per diem compensation for members of specific boards and commissions. (Ord 11319 § 6, 1994).

**2.28.010 Terms of members of boards, commissions and committees.** Whenever the county council creates or recreates boards, commissions and committees, original terms of members will be as follows except where otherwise stated in this code:

A. Boards, commissions or committees of three to nine members: one-third to one-year terms, one-third to two-year terms, one-third to full terms as defined by this code;

B. Boards, commissions or committees with terms of two years or less: one-half for half of a full term, one-half for a full term;

C. Boards, commissions or committees of more than nine members: one-fourth for one year, one-fourth for two years, one-fourth for three years or the full term if the full term is three years, and one-fourth for full terms. (Ord. 138 § 1, 1969).

**2.28.020 Annual executive report required.** The executive shall prepare an annual status report to the council regarding boards and commissions. Such report shall contain, at a minimum, an inventory of boards and commissions; a description of activities; a list of members; a list showing the terms of office, including the terms to expire during the following year; and the department or agency providing staff support, including a contact address and phone number. (Ord. 11319 § 7, 1994).

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(King County 12-2002)

NATURAL RESOURCES, BOARDS, COMMISSIONS AND COMMITTEES

2.29.010 – 2.30.010

**Chapter 2.29**  
**NATURAL RESOURCES BOARDS, COMMISSIONS AND COMMITTEES**

**Sections:**

2.29.010 Executive review and report on boards, commissions and committees advising the department of natural resources.

**2.29.010 Executive review and report on boards, commissions and committees advising the department of natural resources.** The executive shall review the scope, purposes and structure of each of the boards, commissions and committees established by ordinance to provide advice on water resources programs to the department of natural resources. Taking into account the benefits of having residents and local government elected and appointed officials provide advice on matters related to water resources programs and, as appropriate, in consultation with the members of existing boards, commissions and committees, the executive shall prepare a report on such boards, commissions and committees, and shall develop recommendations related thereto that will service the best interests of the residents of the county. The executive shall submit the report to the council by December 31, 1997. (Ord. 12671 § 2, 1997).

## Chapter 2.30 WOMEN'S ADVISORY BOARD

### Sections:

- 2.30.010 Created.
- 2.30.040 Community services division – Duties and responsibilities.
- 2.30.060 Advisory board – Composition.
- 2.30.080 Advisory board – Organization – membership – meetings.

**2.30.010 Created.** A women's advisory board is created to act in an advisory capacity to the executive and council, making recommendations to ensure that the needs, rights and well-being of women are taken into account in the development and implementation of legislation, policies, programs and funding in King County. The duties of the women's advisory board are:

A. To assess the needs of women in King County and make recommendations regarding how best to meet their unmet needs;

B. To review county programs serving women, including their budgets, and recommend ways that these programs can be more responsive to the needs of women and more effective in meeting women's needs;

C. To work with community members and service agencies, to identify, develop, and promote programs that will improve the status and well-being of women;

D. To act as a proponent within county government to improve the status of women;

E. To make recommendations to the county council and to the county executive on legislation, policies, programs and funding necessary to carry out the purposes of this chapter;

F. To inform and educate the public regarding the status of women and policies and programs that may affect the status and well-being of women.

G. To work with other county boards and commissions, including the children and family commission, to further the purposes of the women's advisory board.

H. To submit an annual report during the first quarter of each year to the executive and council which summarizes the board's accomplishments, identifies recommendations from the past year's work and includes the board's work program for the coming year. (Ord. 13039 § 1, 1998: Ord. 4964 § 1, 1980: Ord. 3631 § 1, 1978).

2.30.040 – 2.30.080

(King County 12-2002)  
ADMINISTRATION

**2.30.040 Community services division – Duties and responsibilities.** The community services division shall be accountable for carrying out the following duties and responsibilities:

A. To provide staff support for the King County women's advisory board; to include appointing a staff liaison to the board who shall respond to the chair of the board, assisting in the preparation of agendas, securing information and statistics as requested or required for board projects, keeping members informed about meetings and tasks, communicating with the executive and council about appointments of members as needed and working with the board to assure the intent of this chapter is fulfilled.

B. To prepare the proposed annual budget for women's board to include review by the women's advisory board. (Ord. 13039 § 3, 1998: Ord. 6066 § 22, 1982: Ord. 4964 § 2, 1980: Ord. 3631 § 5, 1978).

**2.30.060 Advisory board – Composition.** The King County women's advisory board shall be composed of fifteen members, one nominated from each council district by the county council, and two nominated by the county executive. These nominations shall represent the diversity of women in King County, including diversity in age, area of residence, profession and race/ethnicity, and shall not include employees or board members of agencies receiving funding from the women's program. Nominees shall be appointed by the county executive and confirmed by a majority vote of the county council in the following manner:



Board members representing council districts shall be appointed to positions numbered one through thirteen (1-13). A candidate for each position must be recommended by the councilmember representing the council district with the corresponding number. If the executive does not appoint the person recommended by the councilmember, the executive shall request that the councilmember recommend another person.

Once constituted, the women's advisory board shall establish terms of appointment by lot. Four members shall serve one year; four members shall serve two years; and three members shall serve three years.

The terms of members from council districts 10 through 13 appointed pursuant to this section shall be governed by chapter 2.28 K.C.C. and shall be allocated as follows: District 10 member to serve a one-year term; District 11 member to serve a two-year term; District 12 and District 13 members to serve a three-year term. Notwithstanding the foregoing, the incumbent in the District 12 position on May 5, 1995 may serve a term ending July 1, 1995 and be eligible for reappointment as provided by law. The person appointed to the District 11 position on March 23, 1995 may serve a term ending July 1, 1997 and be eligible for reappointment as provided by law.

After the initial terms have expired, all appointments shall be for a period of three years. (Ord. 13039 § 5, 1998: Ord. 11782 § 1, 1995: Ord. 7326, 1985: Ord. 4964 § 3, 1980: Ord. 3631 § 7, 1978).

**2.30.080 Advisory board – Organization – membership – meetings.** The King County women's advisory board shall organize, elect appropriate officers, and shall adopt rules and administrative procedures for its own operation. Such rules shall include a definition of conflict of interest issues coming before the board, and appropriate voting restrictions. The women's advisory board shall set a regular meeting schedule and all meetings shall be open to the public. Records of the proceedings shall be maintained.

A simple majority of members eligible to vote shall constitute a quorum for the purpose of conducting business. Any member of the women's advisory board who, without having been excused by the board chairperson, fails to attend three regularly scheduled consecutive meetings of the women's advisory board shall be removed and the position declared vacant by the appointing authority. Any vacancies occurring in the membership of the advisory board shall be filled for the remainder of the unexpired term in the same manner as the original appointments. (Ord. 13039 § 7, 1998: Ord. 4964 § 5, 1980: Ord. 3631 § 9, 1978).

(King County 12-2002)

ADMINISTRATIVE AND ADVISORY BOARDS

2.32.010

## **Chapter 2.32 ADMINISTRATIVE AND ADVISORY BOARDS**

### **Sections:**

- 2.32.010 Community mental health advisory board.
- 2.32.020 Board for developmental disabilities.
- 2.32.030 Disability board.
- 2.32.040 Fair board.
- 2.32.050 Fair board – Compensation.
- 2.32.110 Alcoholism and substance abuse administrative board.
- 2.32.120 Board of corrections established.
- 2.32.130 Urban arterial advisory board.
- 2.32.210 Economic Enterprise Corporation.
- 2.32.220 Washington state boundary review board for King County – requests for review filed by

council or executive.

**CROSS REFERENCES:**

Personnel board, see K.C.C. chapter 3.08.

Bid board and competitive bidding procedures, see K.C.C. chapter 4.16.

Youth coordinating board, see K.C.C chapter 2.40.

Board of ethics, see K.C.C. chapter 3.04.

Joint air pollution control advisory board, see K.C.C. chapter 8.08.

**2.32.010 Community mental health advisory board.<sup>1</sup>**

A. **CREATED.** There is created a community mental health advisory board to be known by that title, and hereinafter referred to as the board.

B. **MEMBERSHIP – APPOINTMENT.** The board shall be composed of seventeen members who shall be appointed by the county executive and confirmed by the county council to three-year terms or until their successor is appointed and qualified.

Membership of the board shall be broadly representative of the demographic character of the region and the mentally ill consumers served and shall include consumers, family and other advocates, and parents of mentally ill children.

C. **COMPENSATION.** Members of the board shall not be compensated for the performance of their duties as members of the board.

D. **DUTIES.** The board shall perform all duties established by RCW 71.24.070 as now or hereafter amended.

E. **ADDITIONAL POWERS AND DUTIES.** All other powers, duties and responsibilities assigned, now or hereafter amended, by sections of RCW 71.24 are conferred upon the board and supervisor of community mental health services.

F. **MEETINGS WITH BOARD FOR DEVELOPMENTAL DISABILITIES.** The board for developmental disabilities and the community mental health advisory board may meet jointly or separately as required in the conduct of their programs, and when convened jointly, may use the designation “King County mental health developmental disabilities advisory board.” (Ord. 11684 § 7, 1995: Ord. 10560, 1992: Ord. 2837 § 2, 1976: Ord. 141 §§ 1-7, 1969).

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<sup>1</sup>[For statutory provisions regarding community mental health programs, see chapter 71.24 RCW.]

2.32.020 – 2.32.040

(King County 9-2003)  
ADMINISTRATION

**2.32.020 Board for developmental disabilities.**

A. **CREATED.** There is created a board for developmental disabilities to be known by that title, and hereinafter referred to as the board.

B. **MEMBERSHIP – APPOINTMENT.** The board shall be composed of fifteen members who shall be appointed by the county executive and confirmed by the county council to three-year terms, or until their successor is appointed and qualified.

Membership of the board shall be representative of, but not limited to, the public, private or voluntary agencies, local government units which participate in a program for individuals with a developmental disability, and private citizens knowledgeable or interested in services to the developmentally disabled in the community.

C. **COMPENSATION.** Members of the board shall not be compensated for the performance of their duties as members of the board.

D. **DUTIES.** The board shall perform all duties and services and have all powers established by RCW 71.20 as now or hereafter amended.

E. MEETING WITH ADVISORY BOARD. The community mental health advisory board and the board for developmental disabilities may meet jointly or separately as required in the conduct of their programs, and when convened jointly, may use the designation "King County mental health developmental disabilities advisory board." (Ord. 11684 § 8, 1995: Ord. 2837 § 1, 1976: Ord. 142 §§ 1 – 5, 1969).

#### **2.32.030 Disability board.<sup>2</sup>**

A. BOARD ESTABLISHED. The King County disability board for the Washington Law Enforcement Officers' and Fire Fighters' Retirement System is hereby established pursuant to the authority of RCW 41.26.110(b).

B. MEMBERSHIP. The board shall be composed of five members to be chosen as follows: One member of the King County council appointed by the King County council; one member of a city or town within the county, excluding those cities and towns with established disability boards, chosen by the majority of the mayors of such cities and towns from the respective legislative bodies of such cities and towns; one fire fighter to be elected by the fire fighters subject to the jurisdiction of the county disability board; one law enforcement officer to be elected by the law enforcement officers subject to the jurisdiction of the county disability board; and one member of the public-at-large who resides within the area of jurisdiction of the county disability board, appointed by the other four appointed members heretofore designated in this section. All members appointed shall serve for two year terms.

C. DUTIES. The board shall perform all functions, exercise all powers, and make all such determinations as specified in RCW 41.26.

D. JURISDICTION. The board shall have jurisdiction over all members of the Washington Law Enforcement Officers' and Fire Fighters' Retirement System employed by the county of King, the fire districts in the unincorporated areas of King County and the cities and towns without established disability boards.

E. COMPENSATION. The members of the board shall serve without compensation, but the members shall be reimbursed for all travel expenses incidental to such services as to the amount authorized by law. (Ord. 321 §§ 1 – 5, 1970).

#### **2.32.040 Fair board.<sup>3</sup>**

A. It is the intent of the council to reduce the administrative workload of the King County fair board and to clarify the relationships between, and responsibilities of, the county and the fair board. The fair board is hereby designated the following responsibilities:

1. To provide recommendations, advise and assist in the planning and conduct of the King County fair;

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<sup>2</sup> [For statutory provisions regarding the Washington Law Enforcement Officers' and Fire Fighters' Retirement System, see chapter 41.26 RCW; for establishment of disability boards, see RCW 41.26.110.]

<sup>3</sup> [For statutory provisions regarding county fairs, see chapter 36.37 RCW.]

(King County 9-2003)

ADMINISTRATIVE AND ADVISORY BOARDS

2.32.040

2. To function as a vital point of interface between King County, the citizenry of the county and key participating groups upon whose participation a successful fair depends;

3. To actively participate in the activities of the fair, particularly with respect to the agricultural and youth oriented events and activities of the fair;

4. To serve in a liaison capacity with participating groups and officials in the fair;

5. To make recommendations on the proposed fair budget; and

6. To communicate directly with the county executive, the county council, and the director of the department of natural resources and parks at its discretion. Such action is particularly encouraged in those instances where the fair board considers that its policies or recommendations are not being followed.

B. The fair board shall consist of the following members, all of whom shall vote except as noted:

1. Thirteen members each representing a council district shall be selected by the county executive from a list of one or more nominees presented to him or her by the councilmember representing that district, provided as follows:

a. if no nominees are submitted for the district within thirty days from the effective date of the vacancy, the executive may make his or her own selection; and

b. the terms of office for the member from each council district shall be for a three-year period commencing October 1.

2. The director of the King County extension service or his or her designee;

3. One member selected by the King County vocational agriculture instructors' organization, the Future Farmers of America;

4. Two members selected by the members of the King County 4-H leader's council;

5. Two nonvoting youth members; one appointed by the agriculture teachers from the membership of the Future Farmers of America and one appointed by the King County extension agent from the membership of 4-H; and

6. One representative from the city of Enumclaw to be appointed by the mayor of the city of Enumclaw and confirmed by the Enumclaw city council.

C. The fair is designated the line responsibility of the department of natural resources and parks.

D. The fair board shall recommend at least three candidates for the position of fair manager to the director of the department of natural resources and parks. The director shall appoint the fair manager after considering the fair board's recommendation. The fair manager will report directly to the director or his or her designee. The position will be exempt from career service. The fair manager shall attend all regular meetings of the fair board and keep the fair board informed of all developments concerning the fair.

E. The fair manager shall consult with the fair board in connection with the submittal of a budget for the operation of the fair and fairgrounds. The proposed budget will be submitted to the fair board whose comments and recommended modifications, if any, will be included in or appended to the budget documentation forwarded to the executive and the county council. No budget shall be presented for adoption which cannot be shown to have reasonable expectation of operating the fair, its maintenance and proposed improvements from funds accruing from fair revenues.

F. All moneys received by or on behalf of the fair shall be deposited in the county treasury. All expenditures incurred in operation of the fair and fair board shall be in accordance with procedures, ordinances and general laws governing the financial administration of King County.

G. Capital improvements to the fairgrounds at Enumclaw, Washington, shall be paid for from revenues generated by the fair, its revenues and grants, gifts and other moneys accruing to the fair from other than the county current expense fund, unless otherwise provided by ordinance. The use of bonds for purposes of capital improvements may be proposed, subject to approval of the executive and thereafter upon review and approval of the council. No substantial change in land use at the fairgrounds or adjacent property will be made without the express approval of the council.

H. The fair board shall establish rules governing its operation including provision for removal of members for cause. (Ord. 14498 § 1, 2002: Ord. 12075 § 5, 1995).

2.32.050 – 2.32.120

(King County 12-2002)  
ADMINISTRATION

**2.32.050 Fair board – Compensation.** For time devoted to the official work of the fair board, each member thereof shall receive a per diem of fifty dollars to be paid out of the current expense fund; provided, that a per diem of twenty-five dollars shall be paid for official board work of three hours or less. (Ord. 4809 § 2, 1980: Ord. 1128 (part), 1972).

**2.32.110 Alcoholism and substance abuse administrative board.**

A. Created. There is created a King County alcoholism and substance abuse administrative board (hereinafter referred to as the board) pursuant to the provisions of RCW 70.96A.070(2) and WAC 275-25-830(2).

B. Membership. The board shall consist of fifteen members. Board members shall be nominated by the county executive and confirmed by the county council. The board shall establish its own rules and procedures and choose its own chairman.

C. Qualifications. The board's members shall be representative of the community; shall include at least four recovered alcoholics; shall include at least four persons who have documented past or present interest in and knowledge about the problems of substance abuse other than alcoholism; and shall include consumer and minority group representation. No more than four elected or appointed city or county officials may serve on such board at the same time. No employee of the State Department of Social and Health Services may serve on the board. Employees and board members of agencies which are recipients of state or county alcoholism or substance abuse funds may not serve as members of the board.

D. Terms – Compensation. Members of the board, one-third of whose terms expire each year, shall serve three-year terms and until their successors are appointed and qualified. Two persons initially appointed for their expertise in substance abuse shall be appointed for terms which expire on April 1, 1981, and April 1, 1982, respectively. The terms of additional substance abuse members shall coincide with the terms of the persons who are vacating those seats. Members of the board shall not be compensated for the performance of their duties as members of the board, but may be paid subsistence rates and mileage in the amounts prescribed by RCW 36.17.030 as now or hereafter amended.

E. Powers and Duties. The board shall exercise those powers and authorities, and incur those duties, responsibilities and liabilities as are provided for by RCW 70.96.160 and WAC 275-25-830.

F. Executive Director. The county executive may appoint an executive director for the board. Such appointment shall be subject to the approval of the board and the county council. (Ord. 5261 § 3, 1980: Ord. 1846 §§ 2 – 7, 1973).

#### **2.32.120 Board of corrections established.**

A. There is established a board of corrections, hereinafter, referred to as the board, consisting of fourteen members. The members shall consist of the following: the chairman of the King County magistrate's association, the presiding judge of the Seattle Municipal Court the presiding judge of the King County Superior Court, the chairman of the juvenile court management committee, the director of King County Department of Public Safety, the administrator of the King County office of public defense, the King County prosecuting attorney, the mayor of the city of Seattle, the president of the King County Suburban Mayors' Association, the chief of the Seattle Police Department, the dean of the University of Washington School of Law, the dean of the University of Washington School of Social Work, and the director of the King County health department. In addition, the King County executive shall appoint one member who has been incarcerated in a King County detention facility within three years prior to the appointment. The director of the department of adult detention shall serve as a nonvoting ex officio member.

(King County 12-2002)

ADMINISTRATIVE AND ADVISORY BOARDS

2.32.120– 2.32.210

B. The board shall serve as an advisory body to the manager of the department of adult detention to review and make recommendations at least annually for the department of adult detention on its policies, operations and matters of budget.

C. The advisory board shall meet at least once during each calendar quarter of each year. (Ord. 6066 § 21, 1982: Ord. 5373 § 1, 1981: Ord. 2935 § 3, 1976: Ord. 1872 § 4, 1973: Ord. 312 §§ 2,3, 1970).

#### **2.32.130 Urban arterial advisory board.**

A. BOARD CREATED. There is hereby created a King County urban arterial advisory board hereafter to be known as the King County arterial council, and hereinafter referred to as the advisory council.

B. MEMBERSHIP – TERMS. The advisory council will consist of five members; the director of the department of transportation, who will serve as chairman; two members to be elected officials of incorporated cities or towns of King County other than the city of Seattle; and two members to be licensed

engineers practicing as city engineers or directors of public works of incorporated cities or towns of King County, other than the city of Seattle.

The four members of the advisory council other than the director of the department of transportation shall serve terms of three years.

C. MEMBERS TO BE RESIDENTS. Members of the advisory council shall be residents of King County throughout their term and shall serve without compensation.

D. DUTIES. The advisory council will be responsible for recommending allocation of proceeds of the forward thrust bonds for cities other than Seattle, as issued pursuant to voter adoption of King County Bond Resolution 34569 at the special election held February 13, 1968, and as authorized by ordinance of the King County council.

The advisory council shall, subject to contractual commitments entered into prior to the date of the ordinance codified in this section, recommend and promulgate rules and procedures to insure proper design procedures as they relate to alignment and geometry, adequate specifications for construction, rules for purchase of right-of-way, and other rules deemed advisable to the conduct of developing an integrated arterial system for the residents of King County.

All rules and procedures established by the advisory council shall be made public as currently and hereafter amended.

E. RULES OF PROCEDURE. The manager of the road services division shall serve as executive secretary of the advisory council and will be responsible for all records.

The manager of the road services division will prepare and forward an agenda for all members prior to each meeting and will prepare and distribute the minutes of each meeting and include a summary of information concerning discussions of the meeting and a review of previous advisory council actions pertinent to discussion subjects.

The advisory council may elect additional officers and shall adopt such administrative procedures as are required to accomplish the purposes of this act.

The members of the advisory council shall constitute a quorum and a majority of such quorum may secure approval of a transaction of the advisory council.

F. FUNDING. For purposes of providing funds to pay the cost of staff services to the advisory council in execution of its duties, the arterial council operating fund was originally created by County Commissioner Resolution 35555 on June 24, 1968. The fund was created from current expense funds to be reimbursed from appropriate capital improvement funds for actual project cost incurred on behalf of the capital improvement projects. The arterial council operating fund is hereby continued without change.

Withdrawal from the operating fund to pay the cost of the staff services shall be made on the basis of actual costs. (Ord. 12075 § 6, 1995).

### **2.32.210 Economic Enterprise Corporation.**

A. CORPORATION CREATED. A public corporation is hereby created to promote local economic development consistent with the purposes of Chapter 300, 1981 Washington Laws, the Local Economic Development Act (the "Act," presently codified as RCW 39.84), and the policies of Exhibit A of Ordinance 6628\*.

B. NAME. The name of the public corporation shall be the King County Economic Enterprise Corporation (the "Public Corporation").

2.32.210

(King County 12-2002)  
ADMINISTRATION

C. POWERS. The Public Corporation shall have all the powers and be subject to all of the limitations and provisions contained in the Act.

D. CHARTER. The charter of the Public Corporation (the "Charter"), Exhibit B of Ordinance 6628\*, is hereby approved. The Public Corporation shall conduct its affairs in accordance with the Charter. The Public Corporation's Charter shall be amended only by ordinance.

E. BYLAWS. The Bylaws of the Public Corporation (the "Bylaws"), Exhibit C of Ordinance 6628\*, are hereby approved. The Public Corporation shall have the authority to amend its Bylaws. The Public Corporation's Bylaws shall be consistent with the Charter and the Act.

F. BOARD OF DIRECTORS. A board of directors (the "Board of Directors") is hereby established to govern the affairs of the Public Corporation. All corporate powers of the Public Corporation shall be exercised by or under the authority of the Board of Directors; and the business, property, and affairs of the

Public Corporation shall be managed under the direction of the Board of Directors, except as may be otherwise provided for in the Charter of the Public Corporation or the Act.

G. APPOINTMENT OF DIRECTORS – TERM OF OFFICE. The number of directors of the Board of Directors shall be five (5).

1. Appointment of Board of Directors.

a. The King County executive shall appoint five (5) directors to the Public Corporation's Board of Directors. Collectively, the Public Corporation's directors shall be knowledgeable about: (1) industrial revenue bond financings, (2) the respective roles of the private and public sectors in local economic development, and (3) the interests of King County's suburban cities in promoting economic development through industrial revenue bond financings.

b. No person appointed by the King County executive shall be eligible to serve as a director except a person who has been confirmed by motion of the King County council.

c. Directors may be reappointed to serve consecutive terms on the Public Corporation's Board of Directors.

d. A vacancy on the Board of Directors because of death, resignation, removal, disqualification, or any other cause, shall be filled for the remainder of the term of the vacant position in the manner prescribed in the initial appointment.

2. Term of Office. The directors shall serve a term of three (3) years or until their successor is appointed and confirmed as provided for in this section. The terms of office of the directors shall be staggered consistent with the provisions of K.C.C. 2.28.

H. QUORUM AND MANNER OF ACTION. At all meetings of the Board of Directors, a majority of the directors in office at the time shall be sufficient to constitute a quorum. Unless a greater number is expressly required by the Act, ordinance, or Charter, every act or decision done or made by a majority of the directors at a meeting of the Public Corporation duly held shall be regarded as the act of the Board of Directors.

I. INDEMNIFICATION. To the extent permitted by law, the Public Corporation shall protect, defend, hold harmless, and indemnify any person who becomes a director, officer, employee, or agent of the Public Corporation, and who is a party or threatened to be made a party to a proceeding by reason related to that person's conduct as a director, officer, employee, or agent of the Public Corporation, against judgments, fines, penalties, settlements, and reasonable expenses (including attorneys' fees) incurred by him or her in connection with such proceeding, if such person acted in good faith and reasonably believed his or her conduct to be in the Public Corporation's best interests and if, in the case of any criminal proceeding, he or she had no reasonable cause to believe his conduct was unlawful. The indemnification and protection provided herein shall not be deemed exclusive of any other rights to which a person may be entitled as a matter of law or by contract or by vote of the Board of Directors. The Public Corporation may purchase and maintain appropriate insurance for any person to the extent provided by the applicable law.

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\* Exhibits available in clerk of the council's office.

(King County 12-2002)

ADMINISTRATIVE AND ADVISORY BOARDS

2.32.210 – 2.34.010

J. ALTERATION OF CORPORATION. The King County council reserves the right at its discretion and at any time to alter or change the policies, powers, structure, or activities of the Public Corporation, including terminating the Public Corporation if the contracts entered into by the Public Corporation are not impaired and other provisions of the Act are met. Any net earnings of the Public Corporation beyond those necessary for the retirement of the indebtedness incurred by it, shall not inure to the benefit of any person other than King County. Upon dissolution of the Corporation, title to all property owned by the Corporation shall vest in King County. (Ord. 6628, 1984).

**2.32.220 Washington state boundary review board for King County – requests for review filed by council or executive.** Either the King County council by motion or the King County executive or his

designee by written request may file a request with the Washington State Boundary Review Board for King County for review of the following actions:

A. The:

1. Creation, incorporation, or change in the boundary, other than a consolidation, of any city, town, or special purpose district;

2. Consolidation of special purpose districts, but not including consolidation of cities and towns; or

3. Dissolution or disincorporation of any city, town, or special purpose district, except the dissolution or disincorporation of a special purpose district which was dissolved or disincorporated pursuant to the provisions of chapter 36.96 RCW; or

B. The assumption by any city or town of all or part of the assets, facilities, or indebtedness of a special purpose district which lies partially within such city or town; or

C. The establishment of or change in the boundaries of a mutual water and sewer system or separate sewer system by a water district pursuant to RCW 57.08.065 or chapter 57.40 RCW, as now or hereafter amended; or

D. The establishment of or change in the boundaries of a mutual sewer and water system or separate water system by a sewer district pursuant to RCW 56.20.015 or chapter 56.36 RCW, as now or hereafter amended; or

E. The extension of permanent water or sewer service outside of its existing corporate boundaries by a city, town, or special purpose district. (Ord. 8389, 1988).

## **Chapter 2.34 BOARD OF APPEALS AND EQUALIZATION**

### **Sections:**

- 2.34.010 Establishment.
- 2.34.020 Composition.
- 2.34.030 Powers.
- 2.34.035 Reporting on constraints placed on real property.
- 2.34.040 Administrative support.
- 2.34.050 Compensation.
- 2.34.060 Conflict of Interest.
- 2.34.070 Severability.

### **2.34.010 Establishment.\***

A. There is established a King County Board of Appeals as provided for in Article 7 of the King County Charter. Additionally, the functions of the county council in its capacity as a board of equalization are hereby vested in the board of appeals which shall be formally designated as the King County Board of Appeals and Equalization, and which shall be referred to hereafter in this section as “the board.”

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\* [For statutory provisions regarding county boards of equalization, see RCW 84.48.010 through 84.48.046.]

2.34.010 - 2.34.030

(King County 12-2002)  
ADMINISTRATION

B. The chair of the board shall be responsible to the King County council for the efficient management and administration of the board and its resources. (Ord. 6444 § 1, 1983).

### **2.34.020 Composition.**

A. In conformance with Section 710 of the King County Charter, the board shall be composed of seven members appointed by the county executive subject to confirmation by a majority of the county council.

B. The term of office shall be for four years, and shall be staggered as follows: two terms shall commence each year except that every fourth year commencing in 1986 only one term shall commence. Board members shall fill the term to which appointed or that portion remaining of an unexpired term. A



member whose term has expired shall continue to serve until a successor has been appointed. Terms shall commence on July 1<sup>st</sup>.

C. Removal of a member of the board, except upon expiration of his appointed term, shall be only as provided for in Section 710 of the King County Charter.

D. The members of the board shall meet and choose a chairman annually to serve from July 15 through July 14 of the following year.

E. A majority of the board shall constitute a quorum in matters of equalization, and in matters of appeal from executive orders and regulations. (Ord. 13410 § 1, 1999: Ord. 10275, 1992: Ord. 6444 § 2, 1983).

#### **2.34.030 Powers.**

A. The board may administer oaths and affirmations and shall hear and decide all appeals from any valuation in property by the department of assessments, examine other matters related to assessment of the property of the county as provided by general law and hear appeals from any other orders by an executive department or administrative office as provided by ordinance.

B. In conformity with RCW 84.48.010 through 84.48.046 relating to the equalization of assessments, and in addition to those powers relating to valuation provided for in Section 720 of the King County Charter, the board shall hear and decide all appeals as are provided by statute, including the following appeals:

1. Appeals of exemption denials related to public corporations under RCW 35.21.755;
2. Appeals for a change in appraised value if the Department of Revenue establishes taxable rent related to leasehold excise tax under RCW 82.29A.020(2)(b) based on an appraisal done by the county assessor at the request of the Department of Revenue;
3. Appeals of decisions or disputes related to historic property under RCW 84.26.130;
4. Forest land determination under RCW 84.33.116, 84.33.118, 84.33.120, 84.33.130 and 84.33.140, including an appeal of an assessor's refusal to classify land as forest land under RCW 84.33.120;
5. Current use determinations under RCW 84.34.035 and 84.34.108;
6. Appeals related to senior citizen exemption denials under RCW 84.36.385;
7. Appeals related to cessation of exempt use under RCW 84.36.812;
8. Determinations related to property tax deferrals under RCW 84.38.040;
9. Determinations related to omitted property or value under RCW 84.40.085;
10. Valuation appeals of taxpayers under RCW 84.48.010;
11. Appeals from a decision of the assessor relative to a claim for either real or personal property tax exemption, under RCW 84.48.010; and
12. Destroyed property appeals under RCW 84.70.010.

C. The board shall hear and decide all appeals resulting from:

1. The granting, denial, suspension or revocation of business licenses under K.C.C. 6.01.150;
2. Grievances related to actions of the director of the animal control authority under K.C.C. chapter 11.04;
3. The fire marshal's decisions on fireworks permits under K.C.C. chapter 6.26;
4. Assessments by lake management districts, with the final decision made by the council under Ordinance 11956; and
5. Other orders or regulations as required by ordinance. (Ord. 13507 § 1, 1999: Ord. 13410 § 2, 1999: Ord. 6444 § 3, 1983).

(King County 12-2002)

BOARD OF APPEALS AND EQUALIZATION

2.34.035 – 2.34.070

**2.34.035 Reporting on constraints placed on real property.** The chair of the board of appeals and equalization shall annually, and before May 1st of each year, request the following:

A. A report in writing from the department of development and environmental services, and any other department responsible for identifying physical and environmental constraints placed on real property that might affect true and fair market value, on the transmittal of that information to the office of the King County assessor, consistent with the provisions of K.C.C. chapter 4.62.

B. A report in writing from the office of the King County assessor attesting to the receipt of that information from any and all departments responsible for identifying physical and environmental constraints

on real property that may affect true and fair market value, consistent with the provisions of K.C.C. chapter 4.62. (Ord. 13410 § 6, 1999).

**2.34.040 Administrative support.**

A. The board shall appoint a clerk of the board as provided by state law. The clerk, or his or her designee, shall attend all sessions of the board and shall keep the official record thereof. The clerk shall also be responsible for managing the administrative staff support of the board. The county assessor, the director of any executive agency whose orders and regulations are subject to appeal before the board, and any member of such agencies' staffs may not serve as the clerk.

B. With the approval of the board and within budgetary constraints, the clerk may appoint such assistants and employees as the board deems necessary for aiding the board in carrying out its functions. The clerk and the assistants and employees shall, in accordance with state law, serve at the pleasure of the board and are thus exempt from career service. As exempt county employees, the clerk and the assistants and employees shall comply with the same work-related regulations as are applicable to exempt employees of the legislative branch of county government.

C. The board may, subject to budgetary constraints, hire on a per diem basis one or more hearing examiners who shall be selected for their knowledge of the values of property in the county and shall subscribe to the same oath as board members.

D. The board shall submit each year to the county council for approval a proposed budget for the following year in the manner provided by law for the preparation and submission of budgets by appointive officials. (Ord. 13410 § 3, 1999: Ord. 6444 § 4, 1983).

**2.34.050 Compensation.**

A. For each six-hour day devoted to official work of the board, each member and each hearing examiner employed by the board thereof shall receive a per diem allowance of two hundred dollars except that a per diem allowance of one hundred twenty-five dollars shall be paid for official board work of more than four hours but less than six hours.

B. Members of the board assigned parking stalls shall pay parking fees as provided for in K.C.C. chapter 3.32 unless exempted from payment by ordinance. (Ord. 14182 § 1, 2001: Ord. 13400 §§ 1 and 2, 1999: Ord. 12136 § 1, 1996: Ord. 8834, 1989: Ord. 7160, 1985: Ord. 6444 § 5, 1983).

**2.34.060 Conflict of Interest.** Members of the board and all employees assigned to the board shall be governed by the employee code of ethics as provided in K.C.C. Title 3. All persons deemed to have a conflict of interest and wishing to appeal to the board on matters of equalization shall be governed by the appeals procedure provided in the code of ethics and as provided in this section. (Ord. 13410 § 4, 1999: Ord. 6444 § 6, 1983).

**2.34.070 Severability.** Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this section. (Ord. 6444 § 9, 1983).

2.35.010 - 2.35.050

(King County 12-2002)  
ADMINISTRATION

**Chapter 2.35  
KING COUNTY BOARD OF HEALTH**

**Sections:**

2.35.010 Created.  
2.35.020 Membership.  
2.35.030 Administration.  
2.35.040 Meetings.

- 2.35.050 Budgetary authority.
- 2.35.060 Travel expenses.
- 2.35.100 Expiration date.

**2.35.010 Created.** There is hereby created the King County board of health, as authorized by RCW 70.05.035. (Ord. 13218 § 3, 1998).

**2.35.020 Membership.**

A. The King County board of health shall consist of the following members:

1. Six members of the metropolitan King County council to be appointed by the chair of the council, provided that the chair shall consider appointing members who represent districts in which a significant proportion of the population resides in unincorporated areas;
2. Three elected officials of the city of Seattle to be appointed by the city;
3. Two elected officials from cities of King County other than Seattle to be appointed by the executive from nominations submitted by those cities, individually or jointly; and
4. Two health professionals who shall be appointed by the other members of the board of health. One of the health professionals should have knowledge of environmental health, including knowledge of septic systems and groundwater quality. A third nonvoting member, who shall also be a health professional, may be appointed by the other members of the board. These members shall be from diverse backgrounds such as, for example, community health clinics, traditional medical practice and alternative medicine or naturopathy. The terms of health professional members shall be established by the rules of the board.

B.1. Each official or authority appointing elected officials to the board under subsections A.1, 2 and 3 of this section also may appoint one alternate elected official for each of its regular members in accordance with the procedures established by such authority. Such appointments shall be announced at the beginning of each meeting by a person authorized by the appointing official or authority and shall be duly noted in the minutes.

2. If the board appoints a third nonvoting health professional member as provided under subsection A.4 of this section, that member shall serve as an alternate for the two voting health professional members. (Ord. 13872 § 2, 2000; Ord. 13218 § 4, 1998).

**2.35.030 Administration.** In accordance with chapters 70.05 and 70.08 RCW, the local board of health shall designate the administrative officer of the board. (Ord. 13218 § 5, 1998).

**2.35.040 Meetings.** The time of regular meetings of the King County board of health shall be established by the rules of the board. (Ord. 13872 § 3, 2000; Ord. 13218 § 8, 1998).

**2.35.050 Budgetary authority.** Nothing in this chapter shall be construed to reduce or limit the budgetary authority or responsibility of the metropolitan King County council. Any program initiatives undertaken pursuant to this measure which require funding support utilizing county budget resources shall be subject to the budgetary process established by the county council. The city of Seattle will, in accordance with an interlocal agreement between the county and the city, exercise policy and expenditure control over its financial contribution to the health department over and above the city of Seattle motor vehicle excise tax dollars contributed according to state law. (Ord. 13218 § 6, 1998).

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Editor's Note: Ordinance 13218 § 2, 1998 repeals Ordinance 11178 §§ 1, 2 and 3, Ordinance 12098 § 1 subsections 1 through 5, §§ 5 and 6 and Ordinance 12526.

(King County 12-2002)  
KING COUNTY BOARD OF HEALTH

2.35.060 - 2.36.010

**2.35.060 Travel expenses.** Members of the board of health who are not full-time elected officials may be reimbursed for mileage and parking expenses between the member's workplace or residence and the location of the board of health meeting. Members may also be reimbursed for travel expenses, including lodging, meals and incidentals per diem and transportation, at the rates established for county employees in K.C.C. 3.24, when traveling on official board of health business. (Ord. 13257 § 19, 1998; Ord. 13218 § 7, 1998).

**2.35.100 Expiration date.** The provisions of Ordinance 13218 shall expire on June 30, 2004. (Ord. 13872 § 4, 2000: Ord. 13218 § 9, 1998).

## **Chapter 2.36 COMMITTEES<sup>1</sup>**

### **Sections:**

- 2.36.010 Flood control zone advisory committee.
- 2.36.020 Department of development and environmental services (DDes) financial advisory task force.
- 2.36.030 Justice court districting committee.
- 2.36.055 King County emergency management committee.
- 2.36.060 Agricultural district advisory committees.
- 2.36.070 Citizen oversight committee.

**2.36.010 Flood control zone advisory committee.<sup>2</sup>** RCW 86.15.070 provides permissive authority to counties allowing creation of flood control zone district advisory committees. There shall be continued by this chapter advisory committees in the following flood control zone districts:

Cumberland  
Enumclaw  
Evans Creek  
Green River  
Greenwater River  
Kimball Creek  
Patterson Creek  
Sikes Lake  
Southwest Lake Sammamish  
West Lake Sammamish

Advisory committees shall consist of five members, appointed by the executive and confirmed by the council, who are residents of the flood control zone boundary, who shall serve two-year terms or until their successor is appointed and qualified.

Members of the committee shall serve without compensation.

Members of advisory committees will serve as information assemblers and disseminators in flood control zone districts and shall be advisory to the departments of transportation and development and environmental services. (Ord. 12075 § 7, 1995).

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### **<sup>1</sup>CROSS REFERENCES:**

Executive finance committee, see K.C.C. chapter 4.24.

Planning committees, see K.C.C. 20.20.040 through 20.20.130.

**<sup>2</sup>[For statutory provisions regarding flood control zone advisory committees, see RCW 86.15.070.]**

(King County 9-2003)

**2.36.020 Department of development and environmental services (DDES) financial advisory task force.**

A. There is hereby created a department of development and environmental services (DDES) operations and financial advisory task force. The purpose of the task force shall be to advise the department on long-term finances, operations and on-going sound business practices. The task force shall report annually to both the executive and the council of its activities during the previous year and if it considers appropriate, shall set forth any operational or financial recommendations for the department.

B. The task force shall include representation from at least the following groups: the environmental community, neighborhood interest groups, labor, a private lending institution involved with the financing of development and construction, residential construction, commercial development, the remodeling/tenant improvement industry, a law firm practicing in land use development and construction law and a residential civil engineering firm. The task force shall be chaired by the county director of the department.

C. Members of the task force shall be appointed by the county director of the department within 60 days of the effective date of Ordinance 12628, and shall serve terms of three years. The task force shall remain in effect through the year 1999, at which time its effectiveness shall be reviewed. (Ord. 12628 § 1, 1997).

**2.36.030 Justice court districting committee.<sup>3</sup>**

A. As prescribed by RCW 3.38.010, there is established a justice court districting committee within King County with membership composed of the following:

1. A judge of the superior court selected by the judges of that court;
2. The prosecuting attorney or a deputy selected by him/her;
3. A practicing lawyer of the county selected by the president of the King County Bar Association;
4. A judge of an inferior court of the county selected by the president of the Washington State Magistrates Association; and
5. The mayor, or his/her representative, of each first, second and third class city of the county;
6. One person to represent the fourth class cities of the county, to be designated by the President of the Association of Washington Cities;
7. The executive; and
8. The county manager of the division of records and elections.

B. Duties of the committee and standards for districting shall be as prescribed in RCW 3.38 as amended by the 40<sup>th</sup> Session of the Legislature or as hereafter revised. (Ord. 12075 § 8, 1995).

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<sup>3</sup>[For the statutory provisions regarding justice court districting committee, see RCW 3.38.010 through 3.38.020.]

**2.36.055 King County emergency management committee.**

A. The King County emergency management advisory committee is hereby established. The committee shall act in an advisory capacity to the county executive, council and office of emergency management on emergency management matters and facilitate the coordination of regional emergency planning in King County.

B. The committee shall be composed of members who represent the following emergency management interests, with each interest having one member except for the Suburban Cities Association, which may have three members:

1. The Central Region Emergency Medical Services and Trauma Care Council;
2. Cities with populations larger than one hundred thousand;
3. Electric and gas utilities;
4. The financial community;
5. The King County Fire Chiefs Association;
6. The King County Fire Commissioners Association;
7. The King County Police Chiefs Association;
8. Local emergency planning committees;
9. The Port of Seattle;
10. Private industry;
11. The Puget Sound Educational Service District;
12. The Seattle/King County Chapter of the American Red Cross;
13. Water-sewer districts;
14. The Suburban Cities Association;
15. The Washington Association of Building Officials;
16. The King County executive or his or her designee;
17. The King County department of natural resources and parks; and
18. The King County department of transportation.

C. The scope and charge of the committee is to:

1. Advise King County on emergency management issues and facilitate coordination of regional emergency planning in King County;
2. Assist King County in the development of programs and policies concerning emergency management; and
3. Review and comment on proposed emergency management rules, policies or ordinances before the adoption of the rules, policies or ordinances.

D.1. The county executive shall appoint regular members of the committee, subject to confirmation by the county council.

2. Individuals serving as members of the committee shall be the chair of the association or designee if an association or agency is named as a member. This includes the Suburban Cities Association, which shall designate the individuals to serve as its representative members.

3. Individuals serving the committee from industry groups shall be recruited with the assistance of the industry.

4. A member of the committee shall serve a term of three years or until the member's successor is appointed and confirmed as provided in this section. The terms of office shall be staggered consistent with K.C.C. chapter 2.28.

5. Memberships are not limited as to numbers of terms, but members shall participate in a reappointment process every three years. Reappointment is subject to confirmation by county council.

6. A vacancy shall be filled for the remainder of the term of the vacant position in the manner described in the initial appointment.

E.1. The committee shall elect a committee member as chair by a majority vote of committee members. The term of the chair is one year.

2. The committee shall adopt appropriate bylaws, including quorum requirements.

F. The office of emergency management shall provide ongoing administrative support to the committee.

G. Members of the committee shall serve without compensation. (Ord. 14498 § 2, 2002: Ord. 14199 § 22, 2001: Ord. 13623 § 1, 1999).

#### **2.36.060 Agricultural district advisory committees.**

A. There are established agricultural district advisory committees for each agricultural district established by ordinance of the council, hereinafter referred to as the district committee.

B. The district committee shall be composed of at least five members who shall be residents of the district. All appointments shall be made by the county executive and confirmed by the county council and at least three appointees shall be selected by the executive from a list of five nominees proposed by the councilperson(s) representing the area encompassed by the district.

C. The district committees shall be responsible for assisting the agriculture program administrator in developing the agricultural protection program set forth in Ordinance 3064.

D. The committees shall commence their functions on February 15, 1977, or as soon thereafter as possible, and this section and Section 2.36.080 shall remain in effect until July 31, 1978. Any continuation of the committees beyond said date shall require subsequent action by the council. (Ord. 6066 § 19, 1982: Ord. 3074 §§ 5, 6, 7, 8 (part), 1977).

#### **2.36.070 Citizen oversight committee.**

A. The citizen oversight committee is hereby established as an advisory body to carry out the duties prescribed for the committee in K.C.C. chapter 26.12.

B. The committee shall include an individual who resides in each King County council district and three additional at-large members. The committee shall be appointed by the executive and confirmed by the council. The committee shall elect a chair from its members. The executive shall solicit nominations from the King County council, from the city of Seattle and from suburban cities within King County and shall seek representation of a broad spectrum of interests and expertise, including, but not limited to, local conservation and passive recreation, science and ecology, conservation land stewardship, business and education.

C. Once established, the terms of the members and chair shall be four years and shall be rotated such that eight of the seats become available for appointment every two years. Committee appointments and operations are subject to K.C.C. Title 3, including code of ethics and civil rights provisions. (Ord. 14714 § 2, 2003).

### **Chapter 2.37**

#### **WASHINGTON STATE PUBLIC STADIUM AUTHORITY**

##### **Sections:**

2.37.010 Washington State public stadium authority created.

#### **2.37.010 Washington State public stadium authority created.**

A. Pursuant to the provisions of Referendum 48, the Washington State public stadium authority is hereby created within King County with all of the powers and authority granted by state law. The board of directors of the public stadium authority shall consist of seven members, to be appointed by the Governor. The naming of the public stadium authority by Ordinance 12807 shall not be construed as limiting its board of directors from adopting any other name. (Ord. 12807 § 2, 1997).

**Chapter 2.38**  
**WASHINGTON STATE MAJOR LEAGUE BASEBALL**  
**STADIUM FACILITIES DISTRICT**

**Sections:**

2.38.010 Washington State major league baseball stadium facilities district.

**2.38.010 Washington State major league baseball stadium facilities district.**

A. A public facilities district, which shall be called the Washington State Major League Baseball Stadium Facilities District, with the powers set forth in RCW chapter 36.100, is hereby created within King County, coextensive with the boundaries of King County. The board of directors of the public facilities district shall consist of seven members, four to be appointed by the executive, subject to confirmation by the council, and three to be appointed by the Governor. No executive appointee shall exercise any of the powers of office until confirmed by the council. The first order of business for the district shall be to execute an interlocal agreement with King County guaranteeing that the district shall make as its first priority avoiding any action which might place the current expense fund or bond rating of King County at unreasonable risk.

B. Reports and agreements to implement project. Recognizing that the council will be asked to issue debt in connection with the financing of the baseball stadium, and must therefore remain fully informed of the planning for and determination of potential costs of the project, the council will require that the public facilities district, the major league baseball team, the executive, and the City of Seattle achieve the following objectives:

1. Provide monthly reports to the council on the status of the public facilities district's decision-making with respect to site selection, project design, mitigation requirements, project costs and budget, and financing recommendations. A decision by the public facilities district concerning the preferred site recommendation for the stadium shall be made by August 1, 1996. The executive and the district shall provide the council with a comprehensive report on the status of these items together with the best possible information then available on costs and financing by December 1, 1996.

2. Execute by March 1, 1996, and prior to any lease negotiations or issuance of any contracts for construction work on the stadium, interlocal agreements between:

a. King County, Seattle, and the public facilities district, that are approved by the council, addressing expedited permit processing, environmental review and other necessary design and construction approvals.

b. King County and the public facilities district, approved by the council, that ensures that King County will be consulted in connection with structuring the financing of the stadium project, as required by EHB 2115, and that the principles set forth in the county's debt issuance policy (K.C.C. 4.28.020) will be satisfied in structuring that financing. The district shall agree that its first priority shall be avoiding any action which might place the current expense fund or bond rating of King County at unreasonable risk.

C. Land assembly and conveyance. It is the intent of King County to assemble such real property as the district determines to be necessary for the baseball stadium, consistent with applicable state law and the project budget. Property which is necessary for this project that was owned by the county as of the effective date of EHB 2115 shall be contributed to the district consistent with state law. Property which is necessary for this purpose that the county acquires on or after the effective date of EHB 2115 shall be conveyed to the district by interlocal agreement as a cost to the baseball stadium project and, therefore, subject to the project's budget. The district shall promptly reimburse King County for the cost of such property as well the cost of its acquisition. (Ord. 12000 § 6,7,9, 1995).



## CHAPTER 2.39

### BASEBALL STADIUM – INDEPENDENT FINANCIAL REVIEW COMMITTEE

#### Sections:

2.39.010 Baseball stadium – Independent financial review committee.

#### **2.39.010 Baseball stadium – Independent financial review committee.**

A. An independent financial review committee consisting of fourteen members is hereby established to explore the financing possibilities afforded by EHB 2115. The committee shall be chaired by a person from the firm acting as the county's financial advisor and shall include a person from the firm acting as the county's bond counsel. Of the remaining members there shall be one member, unless otherwise noted, with expertise in each of the following areas:

1. Investment banking (two members);
2. Law;
3. Economic forecasting;
4. Government finance (two members);
5. Construction and value engineering;
6. Project development (two members); and
7. Public interest (three members).

Members of the financial review committee shall be appointed by motion of the council.

B. The mission of the financial review committee shall be to develop a financing plan for the new stadium that provides the maximum amount of resources while at the same time protects the county's bond rating and current expense fund. The committee shall consult with the public facilities district and the major league baseball team. The financial review committee, at a minimum, shall review all new stadium financing options and shall report back to the King County council prior to the beginning of the 1997 session of the Washington State legislature on findings and recommendations with regards to:

1. Whether the taxes and revenue sources authorized in EHB 2115 are sufficient to fund the construction of a baseball stadium with a retractable roof and natural grass;
2. Whether the county, with the priority of protecting the current expense fund and the county's bond rating, should issue general obligation bonds or revenue bonds or some other financial instrument in order to raise the funds necessary to construct a new stadium;
3. The conditions and results of recently financed sports facilities including revenue backed financing arrangements; and
4. Recommend funding levels necessary for establishing major maintenance and capital equipment replacement reserves. (Ord. 12239 § 2, 1996; Ord. 12000 § 8, 1995).

## Chapter 2.40

### KING COUNTY AGRICULTURE COMMISSION

#### Sections:

- 2.40.010 Establishment.
- 2.40.020 Definitions.
- 2.40.030 Membership, terms and ex-officio members.
- 2.40.040 Duties.
- 2.40.050 Staffing and rules of procedures.
- 2.40.060 Other matters.

**2.40.010 Establishment.** There is hereby created a King County agriculture commission hereinafter referred to as the commission. (Ord. 11417 § 4, 1994).

**2.40.020 Definitions.** The following terms as used in this section have the respective meanings herein set forth.

A. “Agricultural commodity” means any animal or any distinctive type of agricultural, horticultural, viticultural, vegetable, and/or animal product, including but not limited to, products qualifying and organic food products under chapter 15.86 RCW, as amended, as bees, honey and Christmas trees but not including timber or timber products.

B. “Producer” means any person engaged in the business of producing or causing to be produced for market in commercial quantities any agricultural commodity. (Ord. 11417 § 2, 1994).

**2.40.030 Membership, terms and ex-officio members.**

A. The commission shall consist of fifteen members; the members shall serve terms of three years as specified in K.C.C. chapter 2.28.

B. The fifteen voting members of the commission shall serve without compensation and represent the diversity of the agricultural economy, various agricultural operations, and the regions of the county. Membership should be representative of producers of agricultural commodities and persons with demonstrated knowledge, experience and interest in agricultural real estate, food and feed processing, wholesale and retail marketing, produce buying, direct marketing, supply, and finance. However, at least eight of the voting commission members shall be producers as defined in K.C.C. 2.40.020.

C. The directors of the departments of natural resources and parks, development and environmental services, community and human services, public health, and executive services, and the King County conservation district may serve as additional members in an ex officio capacity. (Ord. 14498 § 3, 2002: Ord. 12075 § 11, 1995).

**2.40.040 Duties.** The commission shall advise the council and executive on agricultural policies and programs, including, but not limited to:

A. Existing and proposed legislation and regulations affecting commercial agriculture;

B. Land use issues as they impact agriculture;

C. Ways to maintain, enhance and promote agriculture and agricultural products in the region;  
and

D. Livestock regulation implementation and monitoring duties set forth in K.C.C. chapter 21A.30. (Ord. 14199 § 23, 2001: Ord. 11417 § 6, 1994).

**2.40.050 Staffing and rules of procedures.** In recognition of the duties described in K.C.C. 2.40.040, the director of the department of natural resources and parks shall be responsible for the staffing and operation of the commission. The commission shall elect officers and shall adopt such administrative procedures as are required to accomplish the purposes of this section. (Ord. 14199 § 24, 2001: Ord. 12075 § 12, 1995).

**2.40.060 Other matters.** For all matters not expressly addressed in this ordinance, K.C.C. 2.28 shall govern. (Ord. 11417 § 8, 1994).

**Chapter 2.41**  
**KING COUNTY RURAL FOREST COMMISSION**

**Sections:**

2.41.010 Establishment.

2.41.020 Purpose.

2.41.030 Membership, terms and non-voting ex-officio members.

2.41.040 Responsibilities.

2.41.050 Staffing and rules of procedures.

**2.41.010 Establishment.** The King County rural forest commission is hereby established, and shall be referred to as the commission throughout this chapter. (Ord. 12901 § 1, 1997).

**2.41.020 Purpose.** The purpose of the commission is to advise the executive and council in their efforts to encourage forestry in the rural area. The commission should apply its efforts to making forestry viable in King County’s rural area. (Ord. 12901 § 2, 1997).

**2.41.030 Membership, terms and non-voting ex-officio members.**

A. The commission shall consist of thirteen voting members; the members shall serve terms of three years as specified in K.C.C. chapter 2.28.

B. The voting members of the commission shall serve without compensation. The members shall represent the diversity of rural forestry interests and the different geographic regions of rural King County.

C. Commission membership shall include an equitable representation of the following interests:

1. At least five members representing private rural forest landowners, with at least one from each of the following ownership categories:

- a. forest landowners with greater than five hundred acres of rural forest land in King County;
- b. forest landowners with forty to five hundred acres of rural forest land in King County, and for whom income from forestry is an important component of total income;
- c. residential forest landowners with greater than twenty acres of rural forest land enrolled in the Forest Land Designation (chapter 84.33 RCW program); and
- d. residential forest landowners with less than twenty acres of rural forest land;

2. Advocates of nontimber values of forest land, such as environmental protection, recreation and open space;

3. The Washington Department of Natural Resources;

4. Affected Indian tribes;

5. Consumers or users of local forest products, such as mills, lumber suppliers, craftsmen, florist suppliers or users of other alternative forest products;

6. Academic or professional foresters, or forestry associations; and

7. Rural cities.

D. The directors of the departments of natural resources and parks, development and environmental services, executive services, the office of budget, a representative of the King County council natural resources, parks and open space committee, or its successor, and the director of the King conservation district may serve as nonvoting ex officio members of the commission.

E. All appointees should have a working knowledge of King County forestry, a strong commitment to promote forestry in the rural area, the ability to work with differing viewpoints to find solutions to complex problems and a willingness to commit the time necessary to attend commission meetings and activities. (Ord. 14498 § 4, 2002; Ord. 12901 § 3, 1997).

**2.41.040 Responsibilities.**

A. The commission shall monitor the progress of and provide direction to the county as it carries out the "Implementation Plan to Preserve Working Forests" adopted by the council on April 14, 1997 (Motion 10189). The commission shall also develop detailed implementation plans for the remaining strategies identified in the report "Farm and Forest: a Strategy for Preserving the Working Landscapes of King County".

B. The commission shall advise the county on proposed policies, programs, actions or legislation affecting rural forests or the practice of forestry, including:

- 1. Acquisitions of rural forest land or development rights on rural forest land;
- 2. Management goals for county-owned forest land or county-held forest land conservation easements;
- 3. Marketing and promotion of local forest products; and
- 4. Existing or proposed boundaries of rural forest districts and focus areas.

C. The commission shall work with the county to identify additional strategies to conserve rural forest lands and promote the business of forestry in the rural area. (Ord. 12901 § 4, 1997).

**2.41.050 Staffing and rules of procedures.** The director of the department of natural resources shall be responsible for the staffing and operation of the commission. Prior to undertaking their other responsibilities, the commission shall elect officers and adopt administrative procedures. (Ord. 12901 § 5, 1997).

**Chapter 2.42**  
**HARBORVIEW MEDICAL CENTER**

**Sections:**

- 2.42.010 Definitions.
- 2.42.020 Medical Center – Purpose – Priorities.
- 2.42.030 Board of Trustees – Established – Terms of Office.
- 2.42.040 Board of Trustees – Appointment and Confirmation – Qualification – Compensation.
- 2.42.050 County Authority.
- 2.42.060 Board of Trustees Powers – Duties – Responsibilities.
- 2.42.070 Board of Trustees – Committees.
- 2.42.080 Medical Center – Capital Improvement – Policy – Requirements.
- 2.42.090 Reporting Requirements.
- 2.42.100 Open Meetings – Public Disclosures.
- 2.42.110 Severability.
- 2.42.120 Amendments to Management Contract

**2.42.010 Definitions.** For the purposes of this chapter:

A. “Administrator” shall mean the chief administrative officer of the medical center, appointed under the terms of an approved management contract, who shall be responsible for supervising the daily management of the medical center in accordance with approved plans and policies.

B. “Board” shall mean the Harborview Medical Center board of trustees appointed by the county for the purpose of overseeing the operation and management of the medical center.

C. “Council” shall mean the King County council as described in Article 2 of the King County Charter.

D. “County governing authority” shall mean both the county executive and county council in accordance with their charter assigned responsibilities.

E. “Executive” shall mean the King County executive as described in Article 3 of the King County Charter.

F. “Long Range Capital Improvement Program (CIP) Plan” shall mean a long range plan which is produced as the first step in the medical center capital improvement process. The long range CIP plan identifies capital development needs, establishes capital project standards and policies, identifies intended capital funding sources and alternatives, presents analysis of medical center programs and the physical facilities needed to implement them. It further projects service levels, presents demographics of hospital clientele, makes an inventory and analysis of the effective use of physical facilities and provides specific direction in linking the capital improvement program to operating program needs.

G. “Medical center” shall mean the Harborview Medical Center to include, but not limited to, the hospital complex, Harborview Hall and the Harborview Community Mental Health Center.

H. “Project plan” shall mean a plan produced for a specific capital project which analyzes specific project elements, defines project scope, location, size, costs and other needs. It follows master planning and precedes project budgeting and also considers location, types and amounts of space, specific needs served, current and projected service population staffing and operating costs impacts, and alternative proposals for the sources of funding the project.

I. “Superintendent” shall mean the chief executive officer of the medical center, as described in state law, when the medical center is not operated under the terms of an approved management contract.

J. “State law” shall mean RCW 36.62 as amended, and any other applicable sections of state law. (Ord. 6818 § 2, 1984).

**2.42.020 Medical Center – Purpose – Priorities.**

A. Purpose. King County maintains Harborview Medical Center as a county hospital, pursuant to state law, for the primary purpose of providing comprehensive health care to the indigent, sick, injured or infirm of King County, and is dedicated to the control of illness and the promotion and restoration of health within the King County area.

B. Priorities. Within available resources, the medical center shall provide adequate health care to those groups of patients and programs which are determined to require priority treatment by the county governing authority. Within this determination shall be the provision that admission of patients to the medical center shall not be dependent upon their ability to pay.

C. Admission Rules. The board shall propose to the council by December 31, 1984 rules for the admission of patients in conformance with approved policies and priorities. The rules shall include a provision for a sliding fee schedule based upon a patient's ability to pay, and for the process to obtain payment for costs of the patient's care as provided by state law. (Ord. 6818 § 3, 1984).

#### **2.42.030 Board of Trustees – Established – Terms of Office.**

A. There is established a thirteen member board of trustees for the medical center the members of which shall, except for initial terms, be appointed for terms of four years each and until a successor is appointed and qualified.

B. Terms shall commence on the first day of August following appointment. Where a board member continues to serve beyond the expiration date of the term to which appointed, the commencement date for the succeeding member shall be retroactive to the date when the term would have otherwise commenced.

C. No member shall serve more than three successive terms on the board.

D. Filling the unexpired portion of a term shall not count against the three term limit referenced above if the unexpired portion is less than two years in duration.

E. Members of the board may be removed for reasons and in the manner provided by state law.

F. Any vacancy on the board which occurs during an unexpired term of office shall be filled in the same manner as for appointing members to regular terms except that such appointee shall hold office only for the remainder of the term of the trustee replaced unless appointed for succeeding terms.

G. When a vacancy occurs, the president of the board shall provide the executive and the council with a list of the recommended specific skills and knowledge needed to achieve the best balance possible.

H. For the seven additional members to the board authorized pursuant to Chapter 26, Laws of 1984, the initial terms shall be staggered as therein prescribed. The additional members shall be appointed within thirty days the effective date of Chapter 26, Laws of 1984. However, the term of each of the additional members shall be deemed to commence on August 1, 1984, but shall also include the intervening period between appointment and the first day of August 1984. (Ord. 11965 § 1, 1995: Ord. 6818 § 4, 1984).

#### **2.42.040 Board of Trustees – Appointment and Confirmation – Qualification-Compensation.**

A. Appointment and Confirmation. Board members shall be appointed to positions numbered one through thirteen (1-13). The executive shall appoint the members of the board subject to confirmation by a majority of the council; provided that, a candidate for each position must be recommended by the councilmember representing the council district with the corresponding number. If the executive does not appoint the person recommended by the councilmember, the executive shall request that the councilmember recommend another person.

B. Qualification. In making appointments to the board, an effort should be made to assure that diverse geographic, social, cultural, ethnic, racial, and economic backgrounds and perspectives are considered. Candidates should possess demonstrated leadership ability, and recognized experience in management/administration, planning, finance, health service delivery, consumer representation or institutional operation; and the ability to work cooperatively with others of diverse backgrounds and philosophies. Additionally, all candidates must be willing to commit to the amount of time necessary to perform trustee duties, serve on board committees and serve as an advocate for the medical center.

C. Ineligibility. No person shall be eligible for appointment as a member of the board who holds or has held during the period of two years immediately prior to appointment, any salaried office or position in any office, department or branch of county government or of any organization with which a contract for the operation and administration of the medical center has been executed. All candidates will be required to disclose any information concerning actions or activities of the candidate or his/her immediate family which present a potential conflict of interest. Candidates whose employment, financial interests, and/or other transactions are determined by the appointing officials to be in conflict with the interests of the medical center, will be ineligible for board membership.

D. Compensation. No board member shall receive any compensation or emolument whatever for services as a board member and shall be governed by the county code of ethics and state law regarding conflict of interest. Board members may be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. (Ord. 11701 § 2, 1995; Ord. 6818 § 5, 1984).

**2.42.050 County Authority.** The county governing authority, in accordance with charter assigned responsibilities, and in consultation with the board and other interested groups as appropriate, shall:

A. Set comprehensive public health policy for the county and in conjunction with the board, identify those components of the plan appropriate to the medical center's mission and purpose.

B. Review and approve the mission statement for the medical center and proposed changes thereto proposed by the board.

C. Monitor the performance of the board with regard to the policies contained in this chapter and advise the board of any apparent deficiencies.

D. Review and approve the medical center's long range CIP plan, the annual capital improvement budget and project plans.

E. Review and approve the admissions policy for the medical center.

F. Approve the acceptance of any real property by gift, devise, bequest or otherwise, for the medical center's use.

G. Review and approve any property and liability insurance coverage obtained by the board to protect the interests of the county with regard to medical center property and facilities. (Ord. 6818 § 6, 1984).

**2.42.060 Board of Trustee Powers – Duties – Responsibilities.**

A. General. The board, as the representative authority of the county, entrusted to oversee the provision of health care services in order to assure that county's priorities are addressed and high quality health care is made available to county residents, shall:

1. Elect from among its members a president and vice president.

2. Adopt bylaws and rules for its own guidance and for the governance of the medical center to include the establishment and operation of the board's committees.

3. Provide for the training of newly appointed members to assure they are properly prepared to assume their responsibilities as prescribed in this chapter and by state law.

4. Have general supervision and care of the medical center and the buildings, equipment and grounds thereof and authority to do that which is necessary for the proper maintenance and operation thereof within the limits of approved budgets and the appropriations authorized.

5. Recommend the admissions policy for the medical center to the county governing authority.

6. Inform the governing authority prior to entering into negotiations related to a medical center management contract, or the amendment of an existing contract, and obtain policy guidance on issues to be included in the negotiations.

7. Assure quality of patient care.

8. Manage the financial affairs of the medical center in a prudent and responsible manner.

9. Review and approve the long range CIP plan and project plans, including service impacts, prior to submission to the county governing authority.

10. Approve, implement and monitor the medical center annual capital budgets in accordance with applicable law, subject to the review and approval requirements of the governing authority specified in state law and elsewhere in this chapter.

11. Approve, implement and monitor the medical center annual operating budget in accordance with applicable law.

12. Review and approve all remodeling and construction projects.

13. Establish overall space use policies and guidelines and maintain control over the use of all physical facilities.

14. Control all designated, restricted, and general operating funds.

15. Accept and expend property by gift, devise, bequest or otherwise for the medical center's use, provided that acceptance or disposal of any interest in real property shall require prior approval by the county governing authority.

16. Participate in the development of county health policies and plan jointly with other public and private institutions in the county to determine how the medical center will meet its share of county public health responsibilities.

17. Advise the county governing authority on any matters related to the operation of the medical center, but at least to include:

- a. recommended additions or deletions of priority patient groups or priority services.
- b. recommended changes in the admissions policy.
- c. recommended changes in the mission statement.
- d. recommended changes in public health policy and/or assignment of the medical center's share of public health responsibilities.
- e. anticipated deficiencies that may adversely impact on the provision of adequate health care to county residents.

B. Management of the medical center. The board shall either appoint a superintendent subject to approval by the county governing authority; or shall negotiate and monitor a contract for management of the medical center as provided for by state law to include the appointment of a hospital administrator. (Ord. 6818 § 7, 1984).

**2.42.070 Board of Trustees – Committees. Establishment.** The board shall establish such committees as are appropriate to assist in carrying out its functions. As a minimum, the board shall establish standing committees to oversee planning, facilities management and financial management functions, and the handling of patients' grievances. The right to vote in standing committees shall be restricted to board members except where otherwise provided by law. (Ord. 6818 § 8, 1984).

**2.42.080 Medical Center – Capital Improvement – Policy – Requirements.**

A. The medical center shall prepare a long-range capital improvement program (CIP) plan, which shall be approved by the board and by the county governing authority by ordinance. The long-range CIP plan shall identify the medical center's needs for ensuring quality patient care consistent with the medical center's mission statement and county policy describing the medical center's purpose, priority programs, priority patient groups and other requirements set forth in this chapter. The long-range CIP plan shall be updated at least once every five years, or more frequently, if deemed necessary by the board. All changes to the long-range CIP plan will be treated as amendments to the plan previously approved by ordinance.

B. Annually, the medical center shall prepare a six-year CIP budget, which shall be approved by the board and submitted to the county executive consistent with the executive's annual budget preparation process. The medical center CIP budget shall contain the specific capital improvements necessary to meet the needs, policies and priorities identified in the approved long-range CIP plan.

C. The county executive shall submit the medical center's six-year CIP budget to the county council as part of the executive's proposed six-year CIP budget for the county. The council will review the proposed CIP budget and approve appropriations for all medical center CIP projects subject to subsection E. below, for the following year.

D. All capital improvement projects at the medical center which are funded in whole or in part with the proceeds of county tax revenues, bonds or other debt issued by the county, grants to the county, gifts or donations to the county shall be subject to, planned and administered consistent with this chapter and Title 4 of the King County Code.

E. Notwithstanding any provisions of this chapter or Title 4 of the King County Code to the contrary, all capital improvement projects at the medical center which are funded exclusively with medical center revenues and which are budgeted over the life of the project for an amount not exceeding \$1,000,000, shall be managed, designed, planned, developed and overseen by medical center administration, subject to review and approval by the board. All capital improvement project activities conducted pursuant to this subsection shall comply with state law, the provisions of this subsection and policies and procedures to be approved by the county executive, following consultation with the board. Such policies and procedures shall include, but not be limited to, the following components:

- 1. Procedures for the open and competitive solicitation of bids for CIP projects costing more than \$10,000;

2. Elements to be included within all CIP project budgets, which shall include, at a minimum:
  - a. architect and engineering design fees;
  - b. consultant fees;
  - c. direct construction costs;
  - d. fees and permits;
  - e. on-site costs;
  - f. off-site costs;
  - g. contingency budget; and
  - h. project management and administration costs.
3. Policies and procedures to increase the opportunities for minority and women's businesses to participate in CIP project contracts. These policies and procedures shall include, at a minimum: separate utilization goals for the use of minority and women's businesses, which shall be reasonably achievable and shall be the minimum utilization identified in all bid solicitations; reporting and enforcement guidelines; and the identification of medical center staff necessary to implement this subsection;
4. Procedures for review and evaluation of design consultants;
5. Procedures for reporting and control, which shall include, at a minimum:
  - a. monthly reports from staff at the medical center to the board on the status of the budget, scope and schedule for all CIP projects subject to this subsection;
  - b. quarterly reports from the board to the county executive on the status of the budget, scope and schedule for all CIP projects subject to this subsection;
  - c. immediate notification by staff at the medical center to the board and the county executive, if a CIP project subject to this subsection exceeds its authorized budget;
  - d. semi-annual reports from the board to the county executive for transmittal to the county council on the status of the budget, scope and schedule for all CIP projects subject to this subsection;
  - e. annual reports from the board to the county executive for transmittal to the county council evaluating the medical center's compliance with its utilization goals for minority and women's business participation in CIP projects subject to this subsection.
- F. All costs of capital improvement projects administered by the medical center pursuant to subsection E. shall be paid from medical center revenues. So long as management of the medical center is delegated by contract to the University of Washington, exemption of such capital improvement projects from Title 4 of this code shall be effective only if the University agrees to indemnify the county and its elected and appointed officers, agents and employees from costs, claims, damages or liability arising out of such capital improvement projects in a form acceptable to the county.
- G. Subsection E. shall remain in effect until June 30, 2010, the expiration date of the current management contract between the Harborview Medical Center Board of Trustees and the University of Washington Board of Regents.
- H. From the annual operating revenue of Harborview Medical Center, the medical center shall fund depreciation reserves to be allocated to the major movable equipment (fund 502) and building repair and replacement (Fund 3961) funds and transfer this depreciation reserve funding into the respective capital funds. Harborview Medical Center shall designate a minimum of \$10.8 million annual depreciation reserve commitment and allocate it as follows: (1) The building repair and replacement fund annual funding amount shall be in accordance with the annual budget submitted to the county, but shall not be less than \$4.0 million per year; (2) The balance, or not less than \$6.8 million of the minimum \$10.8 million annual depreciation reserve commitment will be allocated for moveable equipment. An annual report will be provided to the county executive and council detailing major moveable equipment expenditures and revenue sources in Fund 502. The requirement to fund depreciation reserves will be re-evaluated upon the completion of the independent evaluation of Harborview's finances established in Subsection H.
  1. The transfers to Funds 3961 and 502 shall occur no later than 30 days after the end of the medical center's fiscal year.
  2. When planned expenditures exceed the funds available in the building repair and replacement fund, the additional funding will come from an extraordinary funding source other than the County's Current Expense Fund.



3. The difference, between the \$6.8 million available for moveable equipment and the \$10.8 million projected moveable equipment need, or \$4.0 million annually, will be included as part of an allotment through an extraordinary funding source, not including the county's Current Expense Fund.

2.42.080 – 2.42.120

(King County 12-2002)  
ADMINISTRATION

4. The county, in collaboration with Harborview and the University of Washington, will support an independent evaluation of Harborview financial information included in the Arthur Andersen report submitted to the county in May 1997 and source funding opportunities, in conjunction with the (1997-98) LRCIP facility study and master plan review currently underway. The independent evaluation shall be completed by May 1, 1999.

I. King County will continue to be responsible for major long range (LRCIP) infrastructure capital repairs, replacements and improvements and major (LRCIP) additions, using voter approved bonds or other funding mechanisms approved by the county governing authority.

J. There is created a Medical Center Building Repair and Replacement Fund, which shall be a county capital project fund and shall be used to account for the regular segregation of building repair and replacement capital reserves, including investment income. From the building repair and replacement fund shall be drawn payments for the acquisition of fixed equipment, building renovations and improvements as approved by the board.

1. Monies deposited in the building repair and replacement fund shall be invested solely for the benefit of that fund. The board may make transfers to the fund on a more frequent basis.

2. The monies deposited in this fund shall be used solely for the renovation and/or improvement of the medical center's buildings and equipment, subject to the capital budgeting provisions of this chapter. (Ord. 12900 § 1, 1997; Ord. 11532 § 1, 1994; 10563 § 2, 1992).

#### **2.42.090 Reporting Requirements.**

A. As a minimum, the board shall provide the executive and the council with the following reports:

1. An annual financial report and statement for the medical center's preceding fiscal year to be submitted within one hundred twenty days of the end of that fiscal year.

2. A report covering the proceedings of the board including the attendance record of the trustees during the preceding fiscal year shall accompany the financial report.

3. A summary of the medical center annual proposed operating budget including anticipated plans and highlights for the coming year, not later than seventy-five days preceding the medical center's fiscal year.

4. An annual report on medical center programs and services including the quality of patient care, to accompany the operating budget summary.

5. A quarterly report on the extent and type of care provided priority patients, and proposed changes for improvement.

6. An annual fixed assets inventory report for medical center property and equipment.

7. A capital plant and equipment reserve report to accompany the annual operating budget summary.

B. The county governing authority may prescribe the format and content of reports required and set dates for submission to the county, as appropriate, consistent with the requirements of state law and regulations. (Ord. 6818 § 10, 1984).

#### **2.42.100 Open Meetings – Public Disclosure.**

A. All meetings of the board shall comply and be consistent with the provisions of the state "Open Public Meetings Act" (RCW 42.30).

B. Committee meeting shall be open to the public whenever feasible. The board shall establish guidelines for this practice within its by-laws.

C. By-laws and other rules and regulations by the board shall be consistent with the "Public Disclosure Act" (RCW 42.17). (Ord. 6818 § 11, 1984).

**2.42.110 Severability.** Should any section, subsection, paragraph, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 6818 § 14, 1984).

**2.42.120 Amendments to Management Contract.** The executive is hereby authorized to execute amendments to the management contract between the county and the Board of Regents of the University of Washington in order to implement Ordinance 10563. The amendments shall be substantially in the form attached to Ordinance 10563. (Ord. 10563 § 3, 1992).

(King County 12-2000)  
MENTAL HEALTH SYSTEM

2.43.010 – 2.43.040

## **Chapter 2.43**

### **MENTAL HEALTH SYSTEM**

#### **Sections:**

- 2.43.010 Definitions.
- 2.43.020 Goal.
- 2.43.030 Contracts - realistic expectations - report.
- 2.43.040 Reporting requirements - recommendations to council.

**2.43.010 Definitions.** The definitions in this section apply throughout Ordinance 13974 unless the context clearly requires otherwise.

A. “Benefit period” means a defined course of treatment as determined by the King County mental health, chemical abuse and dependency services division or its successor.

B. “Dependence” and “dependent” mean the client experiences significant disability, is not employable, and is served by the publicly funded mental health system and other programs. A dependent client may be characterized as having a GAF score of 50 or below.

C. “GAF score” means Global Assessment of Function Scale score.

D. “Less dependence” and “less dependent” mean the client exhibits some disability, but significantly less than that of a dependent client. A less dependent client has made progress toward recovery, improved self-esteem, and enhanced quality of life and is more functional living in the community. A less dependent or recovering client may be characterized as having a GAF score between 51 and 80.

E. “Mental health system” means the publicly funded mental health system administered by the King County mental health, chemical abuse and dependency services division or its successor agency.

F. “Recovered” means that the client meets all of the following criteria:

1. The client is, whenever possible, engaged in volunteer work, pursuing educational or vocational activities, employed full or part-time, or is engaged in other culturally appropriate activities;
2. The client lives in independent or supported housing;
3. The client has been discharged from the county’s publicly funded mental health system or is receiving infrequent maintenance services to sustain their recovery; and
4. The client may be characterized as having a GAF score of 81 or above.

G. “Recovery” is a process, a way of life, an attitude, and a way of approaching the day’s challenges. It is the hope and expectation that a meaningful life is possible despite mental illness. Recovery emphasizes the restoration of self-esteem and on attaining meaningful roles in society. Recovery includes development of self-esteem through active participation in society. (Ord. 13974 § 3, 2000).

**2.43.020 Goal.** A central goal of the county’s mental health system is to assist individuals in progressing towards recovery while achieving and maintaining the highest level of social, emotional and physical functioning possible. The county’s mental health system should support this goal by formulating plans and policies that increase the likelihood that persons with severe mental illness can have access to quality care that is comprehensive and culturally appropriate to achieve those goals. (Ord. 13974 § 4, 2000).

**2.43.030 Contracts - realistic expectations - report.** The division shall assure contracts with providers address development of individual treatment plans that engender realistic expectations for recovery in all aspects of clients’ lives. Within six months of November 6, 2000, the division shall submit a written report to the county council on steps taken to develop an atmosphere of treatment in which the expectation is that clients identify personal goals with a focus on the importance of a progression toward recovery and wellness through engaging in activities that meet typical societal norms or cultural expectations. (Ord. 13974 § 5, 2000).

#### **2.43.040 Reporting requirements - recommendations to council.**

A. To fulfill the purposes of this section, the mental health division or its successor agency shall annually evaluate all mental health clients receiving outpatient and residential services in the age range of twenty-one through fifty-nine years to determine the clients' status and shall review the following outcome measures: 1. employment; 2. level of functioning; and 3. housing information.

2.43.040 - 2.45.030

(King County 12-2002)  
ADMINISTRATION

B. The mental health division or its successor agency shall provide a written report annually to the council. The first report must be submitted by April 30, 2002, and shall describe the performance of the mental health system during the previous calendar year, January 1 through December 31, 2001. Since the mental health system will implement a new recovery-based treatment model on or about January 1, 2001, the first report shall be a transition report. The mental health division report must indicate achievements related to the outcome measures referenced in this section. The report must describe those clients in a calendar year who have completed at least one benefit period during that year. Additionally, the report shall indicate the number of clients at the beginning and end of a benefit period who are in a category of dependence, less dependence, recovered but require infrequent maintenance services to sustain their recovery, recovered and have been discharged from the system, and those who have left the system because of some other reason. The report shall indicate by category the number of clients who have progressed, regressed or remained unchanged and, for those clients who have changed, the extent of progression or regression by category.

C. The annual report must list by diagnostic category the percentage of clients covered who have improved their quality of life according to the outcome measures. At a minimum, schizophrenia and depression, including major depressive, bipolar and dysthymic disorders, must be included in the diagnostic breakdown.

D. It is recognized that performance measurements are more easily achieved for adult clients in their traditionally most productive years. There are greater challenges in developing a methodology of applying performance measurements to younger clients, age twenty or less, and to older clients, age sixty or greater. Nevertheless, younger and older clients are very important segments of the client population, and after gaining experience with the provisions of this chapter, the division is encouraged to make recommendations to the council on ways to achieve appropriate annual reporting requirements for other age groups. (Ord. 13947 § 6, 2000).

### **Chapter 2.45 KING COUNTY ACTIVE SPORTS AND YOUTH RECREATION COMMISSION**

#### **Sections:**

- 2.45.010 Establishment.
- 2.45.020 Purpose.
- 2.45.030 Membership - terms and nonvoting ex officio members.
- 2.45.040 Responsibilities.
- 2.45.050 Staffing, rules and procedures.

**2.45.010 Establishment.** The King County active sports and youth recreation commission is hereby established and shall be referred to as "the commission" throughout this chapter. (Ord. 13720 § 2, 2000).

**2.45.020 Purpose.** The purpose of the commission is to develop a regional perspective to address the needs of active sports and youth recreation in King County, and to advise the county in its efforts to encourage recreational opportunities throughout King County. The commission should also apply its efforts to understand and coordinate the unique recreational needs of all age groups throughout King County. (Ord. 13720 § 3, 2000).

**2.45.030 Membership – terms and nonvoting ex officio members.**

A. The commission must consist of nineteen voting members and shall consist of one member nominated by each councilmember. Councilmembers must provide the executive with a recommendation to represent their council district. If the executive does not appoint a person that has been recommended by the councilmember, the executive must request that the councilmember nominate another candidate for appointment. Six members of the commission shall be appointed by the executive.

(King County 12-2002)

KING COUNTY ACTIVE SPORTS AND YOUTH RECREATION COMMISSION

2.45.030 - 2.45.050

B. In making appointments to the commission, an effort should be made to assure that the following categories of recreation are considered: field sports, court sports, aquatic recreation, hobby groups, specialized recreation for persons with disabilities and any other sport which requires facilities or fields. Additionally, one or more representatives of local youth groups should be included on the commission membership. Councilmembers may recommend candidates for appointment who are under the age of eighteen. Commission membership shall be monitored by the director of the department of natural resources and parks and the director shall provide councilmembers with recommendations on which recreation categories are not represented on the commission and which categories should receive priority consideration for appointment. The director of the King County department of natural resources and parks, a representative from a local law enforcement agency and a representative of King County council's natural resources, parks and open space committee may serve as nonvoting ex officio members of the commission.

C. All appointees should have a working knowledge of parks and recreation, a strong commitment to promote recreation in King County, the ability to work with differing viewpoints to find solutions to complex problems and a willingness to commit the time necessary to attend commission meetings and activities. (Ord. 14561 § 10, 2002; Ord. 13720 § 4, 2000).

#### **2.45.040 Responsibilities.**

A. The commission shall develop recommendations and advise the King County executive and the King County council on:

1. Ways to maintain and enhance interjurisdictional relations;
2. Ways to create ongoing partnerships with local parks and recreation departments, school districts and nonprofit groups to maximize use of recreation facilities;
3. Long-range planning to anticipate demand for programs, facilities and services;
4. Propose possible new properties and facilities to meet regional sports needs, and identify funding sources for the acquisition of those facilities;
5. Growth management policies which enhance recreational programs or facilities; and
6. Making improvements to existing facilities and exploring the use of public-private partnerships for maintenance of these facilities.

B. The commission shall issue a status report to the council by May 1 every two years, beginning May 1, 2001, to provide preliminary information on King County's current state of recreation opportunities available for youth. This biennial "state of youth sports" report shall include information on: the demographics of young people in King County; percentages involved in organized sports leagues including, but not limited to, soccer, baseball, softball and basketball; the proximity and availability of fields and courts for youth for both organized and unorganized activities; and information correlating the availability or lack of recreational activities to involvement in the criminal justice system. (Ord. 13720 § 5, 2000).

**2.45.050 Staffing, rules and procedures.** The director of the King County department of parks and recreation is responsible for the staffing and operation of the commission. Before undertaking its other responsibilities, the commission shall elect officers and adopt administrative procedures. Any policy recommendations issued by the commission that require council approval shall be jointly referred to the regional policy committee and the natural resources, parks and open space committee for review and consideration. Proposals shall first be considered by the regional policy committee, followed by the natural resources, parks and open space committee. (Ord. 13720 § 6, 2000).

2.46.010 – 2.46.030

(King County 12-2002)  
ADMINISTRATION

## **Chapter 2.46 PUBLIC ART PROGRAM**

### **Sections:**

- 2.46.010 Establishment of public art program.
- 2.46.020 Purpose of the public art program.
- 2.46.030 Definitions.
- 2.46.050 Artists' involvement in public art program.
- 2.46.060 Selecting artists.
- 2.46.080 Annual plan.
- 2.46.090 Authorization to accept donations for public art.
- 2.46.120 Multicultural art.
- 2.46.150 County responsibilities for public art projects.
- 2.46.160 Cultural development authority responsibilities for the development of public art projects.
- 2.46.170 Contracts - review and approval.
- 2.46.180 Public art advisory committee

**2.46.010 Establishment of public art program.** There is hereby established a public art program that shall ensure that the work, thinking, creative skills and unique perspectives of artists are included in the planning, design and construction of county property, facilities, infrastructure and public spaces. The public art program shall be administered and implemented by the cultural development authority. (Ord. 14482 § 2, 2002; Ord. 12089 § 3, 1995).

**2.46.020 Purpose of the public art program.** It is the intention of the county to contribute to the cultural and artistic legacy of this region through the public art program. The purposes of the program include the following:

- A. Integrate the work and thinking of artists into the planning, design and construction of county facilities, buildings, infrastructure and public spaces;
- B. Enhance and enrich the county's physical environment and public spaces;
- C. Celebrate the multicultural and diverse character of its communities;
- D. Contribute a sense of ownership and pride in public facilities and spaces to county citizens;
- E. Mitigate potential adverse impacts of construction;
- F. Engage the citizens and communities of the county in creative partnerships with artists; and
- G. Support, educate and assist citizens with their community activities in which public art plays a part. (Ord. 14482 § 23, 2002; Ord. 12089 § 4, 1995).

**2.46.030 Definitions.** Words in this chapter have their ordinary and usual meanings except those defined in this section, which have, in addition, the following meanings. If there is conflict, the specific definitions set forth in this section shall presumptively, but not conclusively, prevail.

A. "Advisory committee" or "committee" means the public art advisory committee established by the cultural development authority to provide oversight and citizen involvement for the public art program.

B. "Artist selection panel" means a group of individuals, including artists, art and design professionals and non artist citizen representatives established by the cultural development authority to select artists to provide works or services in the planning, design and construction of county facilities, buildings, infrastructure and public spaces.

C. "Charter" means the articles of organization of the cultural development authority adopted by the county and all amendments thereto.

D. "Client department" means the county department, division or office responsible for construction or custodial management of a facility or capital improvement project ("CIP") project after construction is complete.

E. "Cultural development authority" or "authority" means the cultural development authority of King County established under K.C.C. chapter 2.49.

(King County 12-2002)

## PUBLIC ART PROGRAM AND PUBLIC ART COMMISSION

2.46.030 – 2.46.120

F. "Public art fund" means the fund established in K.C.C. 4.08.185 to provide for the receipt of revenues and the disbursement of expenditures for the selection, acquisition and display of public art.

G. "Public art program" means the program administered and implemented by the cultural development authority that includes the works and thinking of artists in the planning, design, and construction of facilities, buildings, infrastructure and public spaces to enhance the physical environment, mitigate the impacts of county construction projects, and enrich the lives of county residents through increased opportunities to interact with art.

H. "Public space" is any place or property within the county that is open to the general public for its use, is in public view or is generally accessible to the public. (Ord. 14482 § 24, 2002: Ord. 12089 § 5, 1995).

**2.46.050 Artists' involvement in public art program.** It is the intent of the council to involve artists at the earliest appropriate project state. The cultural development authority shall establish the artist selection process and, in collaboration with the client department, define the scope of work on a case-by-case basis. Artists shall be included in a broad range of projects including, but not limited to:

A. Planning. Artists may be selected as planning consultants to assist in the evaluation of options, strategies, limitations and opportunities for art and aesthetic design in capital projects before the scope, quality, schedule and budget are fixed;

B. Collaboration with project design team. Artists may be selected to collaborate with design team members on construction or project work in which the creation, documentation and construction of the project is jointly developed with the county's project managers, design team and the community with the goal of improving the aesthetics of the entire project;

C. Site-specific artwork. Artists may be selected to design artwork for a specific location; and

D. Individual works of art. Artists may be commissioned to create a work of art, or existing works of art may be purchased. (Ord. 14482 § 25, 2002: Ord. 12089 § 7, 1995).

**2.46.060 Selecting artists.** The cultural development authority shall select artists to participate in the county's public art program through one of the following ways:

A. The cultural development authority may solicit applications from artists through an open competition. Through publicly advertised requests for applications process, the authority shall review submittals and may select an artist that meets the authority's requirements; or

B. The cultural development authority may invite a limited number of artists to submit applications or prepare proposals. From this limited pool, the authority may select an artist based upon the authority's requirements. (Ord. 14482 § 26, 2002: Ord. 12089 § 8, 1995).

### **2.46.090 Authorization to accept donations for public art.**

A. The county may receive offers of donations of artwork or funds for public art. Potential donors shall be referred to the cultural development authority to discuss the nature of the gift and procedures for review and approval. The cultural development authority shall review the proposal and recommend consideration or rejection of the offer, and make a site recommendation where applicable.

B. Financial gifts, bequests and donations recommended for acceptance by the cultural development authority shall be subject to approval by council motion consistent with K.C.C. 2.80.010, and, if approved by the council, shall be credited to the public art account within the arts and cultural development fund. Donated funds shall be accounted for individually and administered by the cultural

development authority until fully expended in a manner consistent with the donor's restrictions and the council motion that approved the donation. (Ord. 14482 § 27, 2002: Ord. 12089 § 11, 1995).

**2.46.120 Multicultural art.** King County is committed to participation by multicultural and ethnic artists in public art. Therefore, the cultural development authority shall, within available funding, take necessary actions to:

1. Ensure that juries and commissioned artists reflect the ethnic diversity of the population of King County; and

2. Support and develop projects that create opportunities for multicultural and ethnic artists. (Ord. 14482 § 28, 2002: Ord. 12089 § 14, 1995: Ord. 9134 § 7, 1989. Formerly K.C.C. 4.40.060).

2.46.150

(King County 12-2002)  
ADMINISTRATION

**2.46.150 County responsibilities for public art projects.**

A. The county is committed to ensuring the success of the public art program, facilitating strong partnerships between county client departments and with the cultural development authority, promoting efficiencies and offering maximum benefit to county citizens. The executive shall ensure county departments and agencies communicate regarding the management of existing and future county artwork and perform their duties related to public art and fully cooperate with the cultural development authority in its performance of its responsibilities. The responsibilities of county departments and agencies shall include, but not be limited to, the following actions and obligations:

1. Client departments procuring artists' services or artworks shall follow the procedures of the public art program developed by the cultural development authority. The authority shall administer all contracts with artists engaged in public art activities and serve as the liaison between the artists and the client department;

2. To facilitate early artist involvement, the client department shall provide the cultural development authority with information on proposed capital improvements during the early planning phases of these projects;

3. Not all projects that generate funding for public art must include an art component. On an annual basis, each client department and the cultural development authority shall review all eligible capital improvement projects and the pooled departmental appropriations for public art to develop a prioritized list of projects that are the most appropriate for inclusion of public art. The following criteria shall be used to evaluate potential projects:

a. the project has high public visibility and accessibility;

b. the project presents unique opportunities for public art;

c. the project presents an opportunity to partner with another agency or leverage the county's resources;

d. the area of a project is underserved by other arts service providers or there is a lack of public art in a particular area;

e. the community affected by the project has expressed a strong desire for public art;

f. there is a legal mandate to include the artwork within a particular project; and

g. the project's construction or siting may be mitigated by the inclusion of public art.

2. The director of the client department shall meet annually with the cultural development authority to prioritize projects, assess possibilities for artist involvement and review the ways that public art can help achieve the department's mission and goals;

3. The cultural development authority and the client department shall collaboratively define the scope of the artist's involvement, the project specific art budget, project development schedule and the architectural and engineering team's responsibilities in working with the art project;

4. The client department must advise the artist selection panel established by the cultural development authority regarding the technical parameters of the project and the department's goals during the selection process.

5. The client department shall ensure that:

a. Requests for qualifications (RFQs) or requests for proposals (RFPs), for consulting services, require coordination with the cultural development authority when the project includes public art; and

b. Consultants' contracts include coordination with the project's artists as part of the scope of

service;

6. The client department shall include the cultural development authority as an advisor during the consultant selection process for capital projects that include art;

7. Following incorporation of art into the county's art collection, the county shall provide to the cultural development authority the name of a department employee who works at or near the site of the artwork who is responsible on behalf of the county for the artwork and who may be listed on public art collection records as the client department's contact person with respect to the artwork; and

8. The county shall ensure that its artworks are properly maintained, protected and restored.

B. Annually, the county and the cultural development authority shall negotiate an agreement for management and rotation services, maintenance, protection and restoration of the county's public art collection, including, but not limited to, services needed to comply with contracts for commissioned artwork. The annual appropriation for these services shall be determined in the county's annual budget. (Ord. 14482 § 31, 2002).

(King County 12-2002)

KING COUNTY ARTS COMMISSION

2.46.160 – 2.46.180

**2.46.160 Cultural development authority responsibilities for the development of public art projects.** The cultural development authority shall:

- A. Advise the executive and the council regarding the county's public art program;
- B. Develop policies and program guidelines for consideration by the council;
- C. Identify projects that can benefit from artists' involvement;
- D. Establish an artist selection panel. Consultants, if available, may also serve as nonvoting advisors to the panel;
- E. Select and commission artists;
- F. Provide design review for public art projects;
- G. Serve as the adjudicating body to resolve disputes involving aesthetic judgment relative to the county's public artwork;
- H. Provide oversight for the maintenance of public artwork after the work is in place;
- I. Designate sites;
- J. Determine project-specific budgets for public art;
- K. Develop recommendations regarding acceptance of any gifts, bequests or donations of artwork to the county intended for inclusion in the county's public art collection;
- L. Review any action requiring deaccessioning, which is removal of artwork from the county's public art collection; and
- M. Review any action requiring relocation or proposed alterations of integrated or site specific artworks included in the county's public art collection. (Ord. 14482 § 32, 2002).

**2.46.170 Contracts - review and approval.** The county and the cultural development authority shall annually review and develop contracts for the purchase of commissioned public artwork. The cultural development authority shall rely on the approved contracts for the procurement of all public artwork. A contract may include a scope of work attachment subject to approval by a representative from the county client department. The cultural development authority shall not alter the contract for public artwork without first obtaining permission from the county in writing. (Ord. 14482 § 33, 2002).

**2.46.180 Public art advisory committee.** The cultural development authority shall establish a public art advisory committee to advise the authority's board regarding policies and public art, as set forth in K.C.C. 2.46.160. Committee members shall be conversant with public art, experienced with community issues and concerns, and sought from a range of professionals including artists, architects, landscape architects, arts administrators, urban planners and designers, community arts activists as well as business professionals and others. The appointment process and terms of service shall be established by the cultural development authority as set forth in the authority's charter. (Ord. 14482 § 34, 2002).



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(King County 12-2002)

**Chapter 2.48**  
**CULTURAL PROGRAMS**

**Sections:**

- 2.48.020 Definitions.
- 2.48.030 Policy.
- 2.48.045 Responsibilities for cultural programs.
- 2.48.065 Arts advisory committee.
- 2.48.075 Heritage advisory committee.
- 2.46.085 Historic preservation advisory committee.
- 2.48.101 Cultural education program.
- 2.48.103 Special projects program.
- 2.48.105 Cultural facilities program.
- 2.48.108 Sustained support program for arts
- 2.48.109 Sustained support program for heritage.
- 2.48.125 Compliance with antidiscrimination legislation.

**2.48.020 Definitions.** Words in this chapter have their ordinary and usual meanings except those defined in this section, which have, in addition, the following meanings. If there is conflict, the specific definitions in this section shall presumptively, but not conclusively, prevail.

A. "Charter" means the articles of organization of the cultural development authority adopted by the county and all amendments thereto.

B. "Cultural development authority" or "authority" means the cultural development authority of King County established under K.C.C. chapter 2.49.

C. "Cultural education" means the sequential and comprehensive study of the elements of the various arts and heritage forms and how to use them creatively, including instruction in skills, critical assessment, the history of the arts and heritage forms and aesthetic judgment.

D. "Cultural facilities" means publicly accessible buildings and structures that are used primarily for the performance, exhibition or benefit of arts and heritage activities, including, but not limited to, performing arts, visual arts, heritage and cultural endeavors.

E. "Cultural programs" means the programs for cultural education, cultural facilities, special projects and sustained support.

F. "Cultural resources" means community and regional programs and projects relating to performing, visual, literary and other arts; public and civic art; heritage; museum and archival collections; historic preservation; cultural education; and cultural organizations, institutions and attractions.

G. "Culture" means the arts and heritage disciplines, which include, but are not limited to, dance, drama, theatre, music, visual arts, literary arts, media arts, performing arts, traditional and folk arts, ethnic arts and history, heritage and historic preservation.

H. "Fixed assets" means tangible objects such as machinery or equipment intended to be held

for ten years or more that will benefit cultural institutions.

I. "Heritage" means King County's history, ethnic history, indigenous and traditional culture, folklore and historic and archaeological resources and those projects and programs initiated by the authority to preserve King County's heritage and to support community and regional heritage organizations and public agencies in such efforts.

J. "Historic preservation" means the preservation or conservation of the county's historic and archaeological resources and those programs and projects initiated by the authority to foster such preservation or conservation through non-regulatory activities such as interpretation, community education and outreach, cultural tourism and rehabilitation of historic resources.

K. "Hotel-motel tax revenues" means funds designated for cultural purposes as described in RCW 67.28.180 and deposited into the arts and cultural development fund and the cultural resources endowment fund and used for the purposes described in this chapter and K.C.C. chapter 4.42.

L. "Individual artist" means an artist acting individually and independently without affiliation to or with another individual, group or organization. (Ord. 14482 § 35, 2002: Ord. 12945 § 1, 1997: Ord. 12089 § 17, 1995: Ord. 11684 § 11, 1995: Ord. 8300 § 2, 1987).

2.48.030

(King County 12-2002)  
ADMINISTRATION

**2.48.030 Policy.**

A. It is the policy of King County to foster the excellence, vitality and diversity of cultural programs in the county and to make opportunities to experience cultural programs available to all citizens of the county because:

1. King County recognizes that arts and heritage institutions and organizations and professional artists, heritage specialists and historic preservationists, working in partnership with the region's tourism industry, attract visitors and enhance the county's national and international reputation as a cultural center.

2. King County recognizes that the transmission of historical and cultural values and traditions from one generation to the next is essential to the sense of identity of communities, ethnic and cultural groups, and of all citizens of King County.

3. King County recognizes that a healthy and well-balanced future citizenry is dependent upon the promotion of comprehensive cultural education programs for today's youth and that cultural education, in the classroom and in the community, is an integral part of building audiences, appreciation and support for cultural programs.

4. King County recognizes that the loss or destruction of historic structures, sites and artifacts constitutes an irreplaceable loss to the quality of life and character of King County.

5. King County recognizes that its support for the cultural community should be distributed to major regional, mid-sized, emerging and community-based organizations.

6. King County recognizes that support for the development of cultural activities should be distributed throughout all parts of the county, including urban, suburban, rural and incorporated and unincorporated areas; and

7. King County recognizes that support for the work of individual artists and heritage specialists is important to ensure the continuance of diverse creative expression.

B. To carry out this policy, the cultural development authority is hereby authorized to develop and implement cultural programs in King County.

C. The county is committed to ensuring the success of cultural programs and facilitating strong partnerships between the county, cultural development authority and cultural community. The executive shall ensure county departments and agencies perform their duties related to cultural programs and fully cooperate with the cultural development authority in its performance of its responsibilities. (Ord. 14482 § 36, 2002: Ord. 12945 § 2, 1997: Ord 8300 § 3, 1987).

(King County 12-2002)  
KING COUNTY ARTS COMMISSION

2.48.045 – 2.48.085

**2.48.045 Responsibilities for cultural programs.** The cultural programs described in this chapter shall be implemented and administered by the cultural development authority. The duties and authorities of the cultural development authority shall include the following:

- A. Developing policies, guidelines and eligibility criteria for consideration by the council for cultural programs;
- B. Considering and approving project and grant proposals;
- C. Reviewing, evaluating and accounting for expenditures of program funds; and
- D. Annually reporting program results to the county executive and county council. (Ord. 14482 § 37, 2002).

**2.48.065 Arts advisory committee.** The cultural development authority shall establish an arts advisory committee to advise the authority's board regarding policies and cultural programs. Committee members shall be: conversant with arts practices and programs; experienced with community issues and concerns; and sought from a range of professionals including individual artists, arts administrators, educators and community arts activists as well as business professionals and others. The appointment process and terms of service shall be established by the cultural development authority as set forth in its charter. (Ord. 14482 § 38, 2002).

**2.48.075 Heritage advisory committee.** The cultural development authority shall establish a heritage advisory committee to advise the authority's board regarding policies and cultural programs. Committee members shall be: conversant with heritage practices and programs; experienced with community issues and concerns; and sought from a range of professionals including educators, heritage specialists, historians and community heritage activists as well as business professionals and others. The appointment process and terms of service shall be established by the cultural development authority as set forth in its charter. (Ord. 14482 § 39, 2002).

**2.48.085 Historic preservation advisory committee.** The cultural development authority shall establish a historic preservation advisory committee to advise the authority's board regarding policies and cultural programs. Committee members shall be: conversant with historic preservation practices and programs; experienced with community issues and concerns; and sought from a range of professionals including educators, historic preservationists, historians and community heritage activists as well as business professionals and others. The appointment process and terms of service shall be established by the cultural development authority as set forth in its charter. (Ord. 14482 § 40, 2002).

2.48.101

(King County 12-2002)  
ADMINISTRATION

**2.48.101 Cultural education program.\*** There is hereby established the King County cultural education program. The program shall consist of one-year grants for projects developed by cultural organizations or projects proposed and developed by the cultural development authority for the purpose of enriching existing and creating new cultural education program. The cultural education program shall be an annual program administered by the cultural development authority, consistent with this chapter and the charter and shall be contingent on available hotel-motel tax revenues. The cultural education program shall be subject to the following:

A. All cultural organizations that meet the criteria contained in this chapter and any applicable guidelines approved by the cultural development authority for the King County cultural education program are eligible to apply for the King County cultural education program grants. School districts and schools shall not receive revenues distributed under this section;

B. Moneys granted to the individual cultural organizations shall be used to enrich existing cultural education programs or to create new ones and in any event shall be expended only for direct costs for cultural education, which may include fees for artists, cultural specialists, experts in cultural education, and performing and visual arts and heritage organizations. Any application for moneys to enrich existing or to create new arts, cultural or heritage programs shall be developed by the applicant or applicants in joint cooperation with a King County public school or school district;

C. Organizations proposing projects for all grades shall be eligible for grant funding under this chapter. However, while funds are minimal, projects proposed for grades K-8, or grades K-9 in schools where grade 9 remains in the middle school configuration, shall receive priority for funding;

D. The cost of administering the King County cultural education program shall be minimal;

E. Applications must describe the intended use of the grant funds. The intended use must be for cultural education projects serving either King County schools or public school districts, or both. Grant applications may address the needs of special student populations, such as at-risk students and students with handicaps or disabilities, and other youth of school age who are not currently in school, such as youth in detention and those who have dropped out of school;

F. There shall be written application guidelines and procedures, which shall include eligibility criteria, scope of program and funding requirements. The guidelines, criteria and application procedures shall be adopted by the cultural development authority. Established criteria shall include commitment and ability to provide student learning in cultural endeavors. The cultural development authority shall establish procedures for evaluation of programs and accountability of funds;

G. Grant awards shall reflect a countywide geographic distribution, and shall include projects serving public schools and public school districts from various affluent and less-affluent communities; and

H. Approval of grants shall be made by the cultural development authority consistent with this chapter and the charter. Grant decisions shall be made on a competitive basis and in accordance with criteria established in accordance with subsection F of this section. Grants made under the King County

cultural education program shall recognize that Bellevue is receiving its own hotel-motel tax revenues, and therefore preference shall be given to applications serving other areas of the county. Grants to organizations proposing worthwhile projects in Bellevue public schools are not precluded. (Ord. 14482 § 41, 2002: Ord. 14440 § 4, 2002: Ord. 11242 § 4, 1994: Ord. 10189 § 4, 1991: Ord. 9279 § 4, 1989. Formerly K.C.C. 4.42.030).

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\*(See K.C.C. 4.08.190 for fund).

(King County 12-2002)  
KING COUNTY ARTS COMMISSION

2.48.103

**2.48.103 Special projects program.**

A. There is hereby established the King County special projects program. This program shall consist of competitive grants or projects proposed and developed by the cultural development authority, for funding innovative arts project, heritage endeavors and collaborative programs that reflect the cultural and geographic diversity of King County and are not funded by other county programs. The special projects program shall be an annual program administered by the cultural development authority and shall be contingent on available hotel-motel tax revenues. Approval of grants shall be made by the cultural development authority consistent with this chapter and the charter. Grants may be made to arts and heritage organizations, individual artists, heritage specialists, community educational organizations and community arts groups and public agencies that reflect the multicultural, ethnic and geographic diversity of King County. Applications must describe the intended use of the grant funds, and applicants may request full cost recovery.

B. There shall be written guidelines and procedures for applying for grants that shall include eligibility criteria, scope of program and funding needs. The guidelines and procedures shall be adopted by the cultural development authority.

C. The funds expended for the King County special projects program shall be used to expand the role of local arts and heritage organizations and individuals as artistic and cultural educational resources that develop King County through arts and historic events and features in King County, within the intent and purposes authorized by RCW 67.28.180(3)(a). The purposes of these expenditures shall be to:

1. Produce special projects and programs that highlight the region's cultural resources;
2. Assist in providing and bringing touring programs and exhibits on the regional and national level to King County;
3. Improve cultural opportunities and audience development that promote the cultural diversity and multicultural heritage of the region, with particular emphasis on special populations, multicultural audiences and King County youth;
4. Encourage and provide an exchange of services and technical assistance between larger and smaller organizations, individual artists and heritage professionals;
5. Address the needs of either mid- and smaller-sized organizations or individual artists and heritage professionals, or both;
6. Provide opportunities for independent artists to produce new works; and
7. Develop heritage projects that make a significant contribution to the preservation, conservation or interpretation of the historical and archaeological resources of King County.

D. Eligible applicants shall include, but not be limited to, individual artists, arts and heritage organizations, community arts and cultural groups, community educational organizations and family and

youth programs relating to cultural endeavors that reflect the multicultural, ethnic and geographic diversity of King County.

E. The cost of administering the program shall be minimal.

F. The cultural development authority may also develop and sponsor special projects that meet the program purposes described in subsection C of this section. (Ord. 14482 § 66, 2002: Ord. 14440 § 5, 2002: Ord. 11242 § 7, 1994: Ord. 10189 § 9, 1991: Ord. 9279 § 8, 1989. Formerly K.C.C. 4.42.060).

#### KING COUNTY ARTS COMMISSION

(King County 12-2002)  
2.48.105 - 2.48.108

**2.48.105 Cultural facilities program.** King County recognizes that the cultural facilities program has helped build a cultural infrastructure in the region with projects including the Bellevue Art Museum, Benaroya Hall, the Olympic Sculpture Garden and many more. Arts organizations such as the Seattle Center Foundation and heritage organizations such as the Museum of History and Industry are in the process of constructing regional cultural facilities and are seeking capital contributions in 2003. The county strongly supports these projects and encourages the cultural development authority of King County to recognize and assist these organizations to meet their financial goals through private and public donors.

A. The cultural facilities program shall be administered by the cultural development authority. Approval of grants shall be made by the cultural development authority consistent with this chapter and the charter.

B. The funds allocated to the cultural facilities program shall be used only for the purchase, design, construction and remodeling of performing arts, visual arts, heritage and cultural facilities and for the purchase of fixed assets that will benefit art, heritage and cultural organizations, but heritage facility funding may also be used for heritage sustained support.

C. Funds may be spent on providing assistance for planning and improvement of cultural facilities, providing for the preservation and restoration of cultural facilities otherwise eligible for funding pursuant to this chapter and providing funds to cultural organizations to comply with Section 504 of the Federal Rehabilitation Act of 1973, as amended.

D. Funds received under this section may be used for payment of principal and interest on bonds issued for cultural capital projects. The manager of the finance and business operations division shall manage the program's debt incurred before and including December 31, 2002, to ensure continued high credit quality, access to credit markets and financial flexibility. The cultural development authority shall be responsible for program debt incurred from and after January 1, 2003.

E. Eligible applicants shall include performing arts, visual arts, heritage and cultural organizations. Eligible applicants must be financially stable and have at least the following:

1. A legally constituted and working board of directors;
2. A record of artistic, heritage or cultural accomplishments;
3. At least a two-year operating history;
4. Demonstrated ability to maintain net current liabilities at less than thirty percent of general operating expenses;
5. Demonstrated ability to sustain operational capacity subsequent to completion of projects or purchase of machinery and equipment; and

6. Evidence of an independent financial review of the organization. (Ord. 14482 § 42, 2002: Ord. 14440 § 6, 2002: Ord. 14199 § 86, 2001: Ord. 12076 § 49, 1995. Formerly K.C.C. 4.42.100).

#### **2.48.108 Sustained support program for arts.**

A. There is hereby established the King County sustained support program for arts. The purpose of this program shall be to provide operating support to arts organizations and local arts agencies with a demonstrated record of providing or facilitating quality arts experiences for residents of and visitors to King County.

B. The sustained support program for arts shall be administered by the cultural development authority. The program shall consist of a biennial application process. Grants shall be allocated on an annual basis for two consecutive years. Approval of grants shall be made by the cultural development authority consistent with this chapter and the charter. Financial stability and a previous record of artistic accomplishments, and a demonstrated commitment to provide ongoing cultural programs or events for the benefit of King County residents and visitors shall be considered in the application review process. Grant recommendations shall reflect a countywide geographic distribution, and shall include organizations of all sizes and in all artistic disciplines.

C. Eligible applicants are:

1. Not-for-profit arts organizations based in King County with a minimum of three years presenting or producing arts programs for King County residents. For the purposes of this subsection, "not-for-profit arts organizations" means those legally incorporated nonprofit entities that provide as their primary mission a regular season of arts programs or services, which may include a season or annual program of performances, exhibitions, media presentations, festivals, readings or literary publications;

(King County 12-2002)

KING COUNTY ARTS COMMISSION

2.48.108– 2.48.109

2. Not-for-profit arts service organizations that provide arts education and training, and professional services such as administrative support, technical assistance or services to a variety of arts professionals or disciplines, including special populations, ethnic communities and underserved communities;

3. Local arts agencies, which are arts councils, arts commissions or similar entities that are nonprofit organizations or official units of municipal government based in a suburban or rural King County community specifically dedicated to providing arts services for its residents that meet the following criteria:

a. Have a minimum three-year history of providing arts services to the community in which it is based;

b. Are primarily dedicated to the provision of planning, financial support, services, programs and development opportunities for community based arts organizations, artists and the public during a major portion of the year; and

c. Are involved on a regular basis activities or programs in more than one arts discipline or arts service area;

4. Organizations that do not have a tax exemption under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. Sec. 501(c)(3)), which may apply under the sponsorship of another organization that is tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. Sec. 501(c)(3)). The applying organization shall act as an independent fiscal agent for the sponsoring organization and shall assume responsibilities required by the contract.

D. Eligible applicants must have a record of artistic or cultural accomplishments and must have been in operation for at least three years.

E. The funds expended for the King County sustained support program for arts shall be used to support the role of arts organizations and local arts agencies in King County, within the intent and purposes authorized by RCW 67.28.180(3)(a). Funds shall be used to support annual operating expenses, which may include staff, utilities, supplies, fees or services relating to arts programs and services that provide public benefit and are accessible to King County residents and visitors. Funds shall not be used for capital projects or fundraising purposes. (Ord. 14482 § 44, 2002: Ord. 14440 § 7, 2002. Formerly K.C.C. 4.42.108).

#### **2.48.109 Sustained support program for heritage.**

A. There is hereby established the King County sustained support program for heritage. The purpose of this program shall be to provide operating support to historical museums and heritage



organizations that make exceptional contributions to the preservation, collection, exhibition, interpretation or protection of resources related to the history of the people and places of King County.

B. The sustained support program for heritage shall be administered by the cultural development authority. The program shall consist of a biennial application process. Grants shall be allocated on an annual basis for two consecutive years. Approval of grants shall be made by the cultural development authority consistent with this chapter and the charter. Grant recommendations shall reflect a countywide geographic distribution, and shall include organizations of all sizes and in all heritage disciplines. Financial stability and a previous record of accomplishments, and a demonstrated commitment to provide ongoing cultural programs or events for the benefit of King County residents and visitors shall be considered in the application review process.

C. Eligible applicants are:

1. Historical museums or heritage organizations with any combination of ongoing programs, exhibitions, presentations or tours and must be tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. Sec. 501(c)(3)); and

2. Public development authorities.

D. Eligible applicants must operate a heritage facility in King County and have a minimum of two years experience managing collections, presenting exhibits or providing other public services and programs with a focus on King County history and heritage.

(King County 12-2002)  
ADMINISTRATION

2.48.109 – 2.48.125

E. The funds expended for the King County sustained support program for heritage shall be used to expand the role of local heritage organizations and provide access to cultural programs in King County, within the intent and purposes authorized by RCW 67.28.180(3)(a). The purpose of these funds is to offset the expenses and costs of heritage facility operations, including those for staff, utilities, supplies, fees or services that relate to public access to, or public benefits deriving from, programs and services involving the collection, preservation, exhibition, and interpretation of King County history and heritage resources, as well as the education of the public about them. The funds expended for the King County sustained support program for heritage shall not be used for any programs or services that do not: provide public access or public benefit; serve King County residents or visitors; comply with existing federal, state or local legislation; involve heritage facilities in King County; or relate to King County history and heritage. (Ord. 14482 § 45, 2002; Ord. 14440 § 8, 2002. Formerly K.C.C. 4.42.109).

#### **2.48.125 Compliance with antidiscrimination legislation.**

A. Arts and heritage organizations receiving funding from King County through the cultural development authority shall comply with federal, state and local laws that require that state and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services and activities, including, but not limited to, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 706), the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), chapter 49.60 RCW (the Washington state law against discrimination) and K.C.C. chapter 12.22 (prohibiting discrimination in places of public accommodation).

B. Allocations by the cultural development authority to arts and heritage organizations shall be contingent upon the organizations being in compliance with the requirements of federal, state and local laws that require that state and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services and activities, including, but not limited to, Section 504 of the Federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 706), the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), chapter 49.60 RCW (the Washington state law against discrimination) and K.C.C. chapter 12.22 (prohibiting discrimination in places of public accommodation).

C. Arts organizations receiving funding from King County through the cultural development authority shall comply with state, federal and local legislation requiring nondiscrimination in employment and the provision of services to the public, including, but not limited to: Title VI of the Civil Rights Act of 1964; chapter 49.60 RCW (the Washington state law against discrimination); K.C.C. chapter 12.16 regarding

discrimination and affirmative action in employment by contractors, subcontractors and vendors; K.C.C. chapter 12.17 prohibiting discrimination in contracting; K.C.C. chapter 12.18 requiring fair employment practices; and K.C.C. chapter 12.22 prohibiting discrimination in places of public accommodation.

D. Allocations by the cultural development authority of King County to arts and heritage organizations shall be contingent upon the organizations being in compliance with the requirements of with state, federal and local legislation requiring nondiscrimination in employment and the provision of services to the public, including, but not limited to: Title VI of the Civil Rights Act of 1964; chapter 49.60 RCW (the Washington state law against discrimination); K.C.C. chapter 12.16 regarding discrimination and affirmative action in employment by contractors, subcontractors and vendors; K.C.C. chapter 12.17 prohibiting discrimination in contracting; K.C.C. chapter 12.18 requiring fair employment practices; and K.C.C. chapter 12.22 prohibiting discrimination in places of public accommodation. (Ord. 14482 § 47, 2002: Ord. 9051 §§ 1-2, 1989).

(King County 12-2002)

CULTURAL DEVELOPMENT AUTHORITY OF KING COUNTY

2.49.010 - 2.49.020

## **Chapter 2.49**

### **CULTURAL DEVELOPMENT AUTHORITY OF KING COUNTY**

#### **Sections:**

- 2.49.010 Cultural resources policies and purposes.
- 2.49.020 Definitions.
- 2.49.030 Cultural development authority created.
- 2.49.040 Name.
- 2.49.050 Powers of authority.
- 2.49.060 Charter - approval.
- 2.49.070 Charter - effect of issuance.
- 2.49.080 Board of directors - established - appointments - duties.
- 2.49.090 Board of directors - organization.
- 2.49.100 Board of directors - removal of directors.
- 2.49.110 Bylaws.
- 2.49.120 Quorum.
- 2.49.130 County liability limited.
- 2.49.140 Insolvency and dissolution.
- 2.49.150 County executive - authorizations.
- 2.49.160 Reporting requirements.
- 2.49.170 Transfer of funds.
- 2.49.180 Transfer and use of county property, systems and leased office space.

#### **2.49.010. Cultural resources policies and purposes.**

A. Since 1967, King County has been a leader in its support for cultural resources, including arts, heritage, historic preservation and public art, and desires to continue that support.

B. A vibrant cultural community enhances King County's livability and reputation as a national and international cultural center. Arts, heritage, historic preservation and public art enhance the quality of life of our citizens, foster creativity and an ethic of stewardship and citizenship, stimulate economic development and attract visitors to our region.

C. A vibrant cultural community is created and maintained through support for a broad range of

creative and cultural expression, and distribution of that support throughout the geographic area of the county and to a diverse network of regional and community cultural organizations and individuals.

D. It is important for King County to foster excellence, vitality and diversity of cultural programming in the county, to ensure that outstanding cultural opportunities are available to all citizens of the county, and to make arts, heritage, public art and historic preservation a high priority in county governmental policy.

E. The county has determined that governmental services in support of cultural resources will be enhanced by establishing a cultural development authority under RCW 35.21.730 through 35.21.759. (Ord. 14482 § 2, 2002).

**2.49.020. Definitions.** Words in this chapter have their ordinary and usual meanings except those defined in this section, which have, in addition, the following meanings. If there is conflict, the specific definitions in this section shall presumptively, but not conclusively, prevail.

A. "Board of directors" or "board" means the governing body vested with the management of the affairs of the cultural development authority.

B. "Director" means a member of the board of the cultural development authority.

C. "Bylaws" means the rules adopted by the county for the regulation or management of the affairs of the cultural development authority and includes all amendments adopted by the board.

D. "Charter" means the articles of organization of the cultural development authority adopted by the county and all amendments thereto.

E. "Cultural bonds" means bonds issued by the county before December 31, 2002, backed by hotel-motel tax revenues to support the construction of cultural facilities.

F. "Cultural development authority" or "authority" means the public authority created under this chapter.

2.49.020 - 2.49.070

(King County 12-2002)  
ADMINISTRATION

G. "Cultural resources" means community and regional programs and projects relating to:

1. Performing, visual, literary and other arts;
2. Public and civic art;
3. Heritage;
4. Museum and archival collections;
5. Historic preservation;
6. Cultural education; and
7. Cultural organizations, institutions and attractions.

H. "Heritage" means King County's history, ethnic history, indigenous and traditional culture, folklore and historic and archaeological resources and those projects and programs initiated by the authority to preserve King County's heritage and to support community and regional heritage organizations and public agencies in those efforts.

I. "Historic preservation" means the preservation or conservation of the county's historic and archaeological resources and those programs and projects initiated by the authority to foster such preservation or conservation through nonregulatory activities such as interpretation, community education and outreach, cultural tourism and rehabilitation of historic resources.

J. "Hotel-motel tax revenues" means funds designated for cultural purposes as described in RCW 67.28.180 and deposited into the arts and cultural development fund and the cultural resources endowment fund and used for the purposes described in K.C.C. chapters 2.48 and 4.42.

K. "Resolution" means the form of action taken by the board of the cultural development authority. (Ord. 14482 § 5, 2002).

**2.49.030. Cultural development authority created.** A public authority is hereby created, with powers and limitations set forth in its charter and this chapter, exclusively to support, advocate for and preserve the cultural resources of the region in a manner that fosters excellence, vitality and diversity. The authority shall further the goals and objectives of the King County Comprehensive Plan, establish cultural resource policies and operate in a manner that ensures King County citizens and visitors have access to high-quality cultural programs and experiences. (Ord. 14482 § 3, 2002).

**2.49.040. Name.** The name of the public authority shall be the cultural development authority of King County. (Ord. 14482 § 4, 2002).

**2.49.050. Powers of authority.** Except as limited by the state constitution and state law, the King County Charter, this chapter or the charter of the cultural development authority, the cultural development authority may exercise all lawful powers necessary or convenient to effect the purposes for which the cultural development authority is organized and to perform authorized corporate functions, as provided in its charter and bylaws. (Ord. 14482 § 6, 2002).

**2.49.060. Charter - approval.** The charter of the cultural development authority, as set forth in Attachment A\* to Ordinance 14482, is hereby approved. The clerk of the council shall, within ten days of October 11, 2002, issue the charter in duplicate originals, each bearing the county seal attested by the clerk of the council. The clerk of the council shall file and record one original charter with the records, elections and licensing services division and provide one original charter to the county executive on behalf of the cultural development authority. The county may amend the charter by ordinance after providing notice to and an opportunity for the directors to be heard and present testimony. (Ord. 14482 § 7, 2002).

**2.49.070. Charter - effect of issuance.** The cultural development authority shall commence its existence effective upon issuance of its charter. Except as against the state or the county in a proceeding to cancel or revoke the charter, delivery of a duplicate original charter shall conclusively establish that the authority has been established in compliance with the procedures of this chapter. (Ord. 14482 § 8, 2002).

(King County 12-2002)

CULTURAL DEVELOPMENT AUTHORITY OF KING COUNTY

2.49.080 - 2.49.140

**2.49.080. Board of directors - established - appointments - duties.** A board consisting of fifteen directors and five ex officio members, as provided in the charter, is hereby established to govern the affairs of the cultural development authority. The directors shall be appointed by the county executive and serve their terms as provided in the charter. Appointments shall be subject to confirmation by the county council. All corporate powers of the authority shall be exercised by or under the authority of the board of directors. The business, property and affairs of the authority shall be managed under the direction of the board, except as may be otherwise provided for by law or in the charter. (Ord. 14482 § 9, 2002).

**2.49.090. Board of directors - organization.** Within ten days after issuance of the charter by the clerk of the council, the county executive or his or her designee shall call an organizational meeting of the initial board of directors. The meeting shall be held within ten days of the calling of the meeting. The county executive or his or her designee shall give at least three days' advance written notice of the meeting to each director, though each director may waive his or her notice in writing. The county executive or his or her designee shall present the original charter provided to the executive under K.C.C. 2.49.060 to the board of directors at the meeting. At the meeting, the board shall organize itself, elect officers and select the place of business. (Ord. 14482 § 10, 2002).

**2.49.100. Board of directors - removal of directors.** If, after a full public hearing, the council for any reason determines that any or all of the directors should be removed from office, the council may by ordinance remove the director or directors. The term of any director removed under this section expires when the removal ordinance takes effect. Vacancies created under this section shall be filled in the manner provided in the charter. (Ord. 14482 § 15, 2002).

**2.49.110. Bylaws.** The initial bylaws of the authority, as set forth in Attachment B\* to Ordinance 14482, are hereby approved. The board may alter, amend or repeal the bylaws or adopt new bylaws, except as otherwise provided in this chapter. The bylaws shall be consistent with the charter. (Ord. 14482 § 11, 2002).

**2.49.120. Quorum.** At all meetings of the board of directors, a majority of the directors who are appointed and confirmed shall constitute a quorum. (Ord. 14482 § 12, 2002).

**2.49.130. County liability limited.** To the maximum extent permitted by law, the cultural development authority is an independent legal entity exclusively responsible for its own debts, obligations and liabilities. All liabilities incurred by the authority shall be satisfied exclusively from the assets and credit of the authority. No creditor or other person shall have any recourse to the assets, credit or services of the county on account of any debts, obligations, liabilities, acts or omissions of the cultural development authority. (Ord. 14482 § 13, 2002).

**2.49.140. Insolvency and dissolution.** After notice to the board and a public hearing, the county may determine by ordinance that the cultural development authority is insolvent or may by ordinance dissolve the authority. If the county determines the authority is insolvent or dissolves the authority, the county shall notify the superior court of King County, which shall proceed under RCW 35.21.750. (Ord. 14482 § 14, 2002).

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\*Available in the office of the clerk of the council.

2.49.150 - 2.49.170

(King County 12-2002)  
ADMINISTRATION

**2.49.150. County executive - authorizations.**

A. The county executive is granted all power and authority reasonably necessary to perform the duties imposed on the county departments and agencies under this chapter, in K.C.C. chapters 2.46, 2.48, 4.08, 4.40 and 4.42 and in the charter of the authority.

B. The county executive shall, to the extent permitted by law, assign the county's rights, interests, duties and obligations in contracts, agreements, grants and other written commitments entered into on or before December 31, 2002, for cultural resources programs and projects to the cultural development authority. However, the county shall retain all rights, interests, duties and obligations related to ownership of works of art for the county's public art collection.

C. The county executive shall ensure that moneys in the funds designated by ordinance to be available to the cultural development authority are effectively, efficiently and promptly transferred to the authority. (Ord. 14482 § 16, 2002).

**2.49.160. Reporting requirements.**

A. By April 15 of each year, the authority shall submit an annual report to the county executive and the county council containing:

1. A statement of assets and liabilities, income and expenditures and changes in its financial position during the previous year;
2. A summary of significant accomplishments;
3. A list of depositories used;
4. A projected operating budget for the current fiscal year;
5. A summary of cultural programs, public art projects and all other projects and activities to be undertaken during the current year; and
6. Other information as may be required in the charter of the authority.

B.1. The authority shall meet with the county council's committee of the whole two times per year, once in the first half of the calendar year to discuss the authority's annual report and once in the second half of the calendar year to discuss the authority's plans and proposed expenditures for the following year.

2. The authority shall meet:
  - a. at least one time per year with the county executive; and
  - b. at least one time per year with directors and administrators of county departments and agencies that interface with the authority.
- C. The authority shall respond to requests for additional information from the executive or from the council. The council shall make its request by motion. (Ord. 14482 § 17, 2002).

**2.49.170. Transfer of funds.**

A. On January 1, 2003, King County shall transfer to the authority balances in the following funds, reserving only sufficient funds to meet current county obligations:

1. All hotel-motel tax revenues designated by the state of Washington and appropriated by the county council for cultural purposes in King County, including, but not limited to, all encumbered and unencumbered hotel-motel tax revenues in the arts and cultural development fund (117) and cultural resources endowment fund (603);
2. All current expense fund revenues designated or appropriated for cultural purposes, including, but not limited to:
  - a. fees for all government-to-government agreements for public art; and
  - b. the fund balance in the arts and cultural education fund (116);
3. All public art fund revenues designated by King County for public art purposes, in subfund 3201;
4. All state and federal funds for cultural purposes, other than those listed in subsection A.1 of this section; and
5. All other funds and fees designated or appropriated for cultural purposes, except for funds that contain bond revenues and excess interest earnings as of December 31, 2002.

(King County 12-2002)

CULTURAL DEVELOPMENT AUTHORITY OF KING COUNTY

2.49.170 - 2.49.180

B. In addition to the transfer of fund balances on January 1, 2003, described in subsection A of this section, King County shall transfer future fund balances as follows:

1. Hotel-motel tax revenues designated by the state of Washington for cultural purposes in King County shall be transferred to the authority within ten business days of receipt by King County from the state of Washington and appropriated by the county council. By December 1, 2002, the King County office of budget and the office of cultural resources shall develop a schedule of the transfers. Twice each year while cultural bonds remain outstanding, the authority shall transfer back to King County sufficient hotel-motel tax revenues to allow the county to make required payments on the bonds;
2. Current expense amounts appropriated to the arts and cultural development fund, which shall be transferred to the authority not later than January 10 of the year for which those amounts have been appropriated;
3. Public art revenues, which shall be transferred to the authority not later than February 1 of the year for which those revenues have been appropriated;
4. Except for funds listed in subsection B.1 of this section, state and federal funds for cultural purposes, which shall be transferred to the authority within ten business days of receipt by King County of the funds from the federal or state governments; and
5. All other funds and fees appropriated to the arts and cultural development fund and for cultural purposes, which funds and fees shall be transferred to the authority within ten business days of receipt by King County.

C. King County shall not transfer funds and fees designated or appropriated to the King County landmarks commission for land use regulation and archaeological management purposes. (Ord. 14482 § 18, 2002).

**2.49.180. Transfer and use of county property, systems and leased office space.**

A. On January 1, 2003, the county shall transfer without charge county personal property used by the office of cultural resources on December 31, 2002, to the cultural development authority. The

property shall include, but not be limited to, computers and software, electronic equipment, telephones and office furnishings, equipment, materials and supplies. The office of cultural resources and the office of budget shall complete a property transfer inventory on or before December 1, 2002, and the inventory shall be used to effect the transfer.

B. The county shall allow access by the cultural development authority to the county's information and telecommunications systems, including, but not limited to, telephone service, voice mail, electronic mail and the county-wide area network, including all databases required by the cultural development authority to effectively carry out its work. The cultural development authority shall make payment for telephone system services upon billing by the county. By December 1, 2002, the King County office of budget and office of cultural resources shall develop a schedule for the payments. King County shall allow the cultural development authority access to the wide area network at no charge.

C. The county shall allow the cultural development authority to use the office space in the Smith Tower used by the office of cultural resources on December 31, 2002, for the remaining period under the county's lease for the space. The county shall determine through its annual budget process whether to pay the lease cost with current expense fund or other revenues. At the end of the lease period, the authority shall relocate to office space it acquires at its own expense or commence to pay for office space that, if available, may be provided by the county to the authority. (Ord. 14482 § 19, 2002).

2.50.010 – 2.50.020

(King County 12-2002)  
ADMINISTRATION

## **Chapter 2.50**

### **KING COUNTY CHILDREN AND FAMILY COMMISSION**

#### **Sections:**

- 2.50.010 King County children and family commission - established.
- 2.50.020 Duties.
- 2.50.025 Human Services (Review and) Recommendations Report.
- 2.50.030 Organizational – meetings – quorum.
- 2.50.045 Staffing.

#### **2.50.010 King County children and family commission - established.**

A. There is established the King County children and family commission, to be composed of no more than seventeen voting members, appointed by the King County executive and confirmed by the council. Appointees shall represent the geographic and ethnic diversity of communities in King County. No more than seven members shall reside within any one municipal jurisdiction.

B. The commission shall seek the opinions and ideas of educators, the business community, children, youth and family service providers and agency representatives and other interested parties on issues considered by the commission. These persons shall be invited to participate in commission discussions.

C. The commission members shall be appointed by the county executive, subject to confirmation by the county council. Appointees should include professionals, consumers of county services, youth and individuals of color and limited or non-English speaking individuals who are concerned about children, youth and families.

D. Appropriate county departments which serve the health, recreational, social, economic and criminal justice needs of children, youth and families shall provide resource people who shall serve the commission in an advisory capacity.

E. Except for the initial term, all appointments shall be for three-year terms. Once confirmed by the council, commission members shall serve as voting members until reconfirmed or a successor is confirmed. Commission members may serve two consecutive terms.

F. Any vacancies occurring in the membership of the children and family commission shall be filled for the remainder of the unexpired term in the same manner as the original appointments. (Ord. 13811 § 1, 2000: Ord. 10217 § 1, 1992: Ord. 8577 § 1, 1988).

**2.50.020 Duties.** The King County children and family commission shall act in an advisory capacity to the county executive, the superior court and county council, focusing on recommendations to further define King County's mission, role, and goals in provision of services to children, youth and families. The commission will concentrate on building links between the county's service systems, communities and schools. The commission will provide oversight and review of county programs providing services to children, youth and families; promote cooperation among departments, and evaluate the effectiveness of programs; and oversee implementation of the King County Framework Policies for Human Services, adopted by Ordinance 13629 and any other policies adopted by the council concerning children, youth and families. The commission shall establish a standing committee comprised of commission members that will focus on services for at-risk youth including probation related services of the superior court juvenile department, juvenile detention and the services provided to youth by the department of adult and juvenile detention, the department of community and human services, schools and others as deemed appropriate. This committee, through the commission, shall provide advice and offer recommendations on services for at-risk youth in the community and in the juvenile justice system. (Ord. 13811 § 2, 2000: Ord. 10217 § 2, 1992: Ord. 8577 § 2, 1988).

(King County 12-2002)

KING COUNTY CHILDREN AND FAMILY COMMISSION

2.50.025 – 2.51.010

**2.50.025 Human services (Review and) Recommendations Report.** The commission shall provide citizen oversight for the department of community and human services and other involved county departments in development and implementation of the Human Services Recommendations Report required by Ordinance 13629 and shall communicate its recommendations regarding the report to the executive and council. In accordance with adopted policy and any recommendations adopted as a result of the Human Services (Review and) Recommendations Report the commission shall review the budgets of county agencies serving children, youth and families as part of the annual budget process for the purpose of making appropriate policy and resource allocation recommendations to the executive, the superior court and council. (Ord. 13811 & 3, 2000: Ord. 10217 § 3, 1992).

**2.50.030 Organizational – meetings – quorum.** The King County children and family commission shall elect its officers, including a chair, vice-chair and such other officers as it may deem necessary. The officers shall occupy their respective offices for one year. The commission may organize into sub-committees as appropriate. The commission shall adopt rules and administrative procedures for its own operation. The rules shall include a definition of conflict of interest issues coming before the commission and appropriate voting restrictions. The commission shall adopt an annual work plan describing how it will fulfill its responsibilities. The commission shall hold regular public meetings at least quarterly. Records of the proceedings shall be maintained. The commission shall issue an annual report to the public on its activities. A quorum shall constitute a majority of the commission's membership. Any member of the commission who, without having been excused by the chair, fails to attend three regularly scheduled commission meetings, shall be removed and the position declared vacant by the appointing authority. (Ord. 13811 § 4, 2000: Ord. 10217 § 4, 1992: Ord. 8577 § 3, 1988).



**2.50.045 Staffing.** The Seattle-King County department of public health shall have lead responsibility, within available resources, for staffing the commission. Staff from the department shall respond to the chair of the commission, assisting in the preparation of agendas, securing information and statistics as requested or required for commission projects, keeping members informed about meetings and tasks, communicating with the executive office about appointments of new members as needed and working with the commission to ensure the intent of this chapter is fulfilled. (Ord. 14561 § 11, 2002: Ord. 13811 § 5, 2000: Ord. 12075 § 13, 1995).

## **Chapter 2.51**

### **KING COUNTY FRAMEWORK POLICIES FOR HUMAN SERVICES**

#### **Sections:**

2.51.010 Policies – guidelines adoption – implementation

#### **2.51.010 Policies – guidelines adoption – implementation**

A. The King County Framework Policies for Human Services, dated August 24, 1999, and contained in Attachment A\* to Ordinance 13629, and the Implementation Guidelines for the Framework Policies for Human Services, dated August 24, 1999, and contained in Attachment B\* to Ordinance 13629, are adopted to guide the future development of county human services programs.

B. The department of community and human services shall have lead responsibility for implementing the framework policies for human services in accord with the implementation guidelines. The department shall work in cooperation with the King County children & family commission and with other county departments and offices also providing services to the same populations, including but not limited to the departments of public health, adult and juvenile detention, natural resources and parks and transportation. (Ord. 14498 § 5, 2002: Ord. 13629 § 1, 1999).

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\*Available in the office of the clerk of the council.

2.52.010 - 2.52.040

(King County 12-2002)  
ADMINISTRATION

## **Chapter 2.52**

### **KING COUNTY OFFICE OF CITIZEN COMPLAINTS/TAX ADVISOR**

#### **Sections:**

2.52.010 Definitions.  
2.52.020 Establishment of office.  
2.52.030 Appointment of director.  
2.52.040 Qualifications.  
2.52.050 Term of office.  
2.52.080 Organization of office.  
2.52.090 Powers.  
2.52.100 Matters appropriate for investigation.  
2.52.110 Action on complaints.  
2.52.120 Right to present witnesses - Consultation with agency.  
2.52.130 Recommendations.  
2.52.140 Publication of recommendations.  
2.52.150 Written reports.  
2.52.160 Disciplinary action against public personnel.  
2.52.170 Rights and duties of witnesses - Enforcement of subpoenas.

**2.52.010 Definitions.** As used in this chapter, the term:

A. "Administrative agency" means any department, office or other governmental unit, or any employee of King County acting or purporting to act by reason of a connection with the county; but "administrative agency" does not include:

1. Any court or judge or appurtenant judicial staff,
2. The members or staffs of the county council,
3. The King County executive or his respective personal staff,
4. The county prosecuting attorney or his staff. For purposes of this chapter "administrative agency" shall specifically include the Board of Equalization/Appeals.

B. "Administrative act" includes every action (such as decisions, omissions, recommendations, practices, or procedures) of an administrative agency. (Ord. 11107 § 2, 1993: Ord. 5869 § 1, 1982: Ord. 473 § 1, 1970).

**2.52.020 Establishment of office.** The King County office of citizen complaints/tax advisor is established. (Ord. 11107 § 3, 1993: Ord. 5869 § 2, 1982: Ord. 473 § 2, 1970).

**2.52.030 Appointment of director.** The director of the office of citizen complaints/tax advisor shall be appointed by a majority of the members of the county council. (Ord. 11107 § 4, 1993: Ord. 5869 § 4, 1982).

**2.52.040 Qualifications.** The director shall be a registered voter of the United States, shall hold a degree from an accredited college or its equivalent in service to government, shall have a working knowledge of legal and administrative procedures, and shall have experience, and/or knowledge in local government commensurate to the powers of the office. During the term of which he is appointed, he shall be ineligible to hold any other public office of employment. He shall not be a candidate for any public office for a period of two years following the completion of his term as director of the King County office of citizen complaints/tax advisor. The director shall not be included in the classified civil or career service of the county. (Ord. 11107 § 5, 1993: Ord. 5869 § 5, 1982: Ord. 473 § 4, 1970).

(King County 12-2002)

KING COUNTY OFFICE OF CITIZEN COMPLAINTS/TAX ADVISOR

2.52.050 - 2.52.100

**2.52.050 Term of office.** The director shall serve for a term of five years, unless removed by a vote of two-thirds of the members of the county council upon their determination that he has become incapacitated or has been guilty of neglect of duty, misconduct or political activity. The council may appoint an interim director pending the appointment of a new director whenever the term of the director has expired or the office otherwise becomes vacant. (Ord. 10340 § 1, 1992: Ord. 5869 § 6, 1982: Ord. 473 § 5, 1970).

**2.52.080 Organization of office.**

A. The director shall with concurrence of the council, appoint a tax advisor. The tax advisor shall not be included in the classified civil or career service of the county.

B. The director may with concurrence of the council select, appoint, and compensate, within the amount available or budgeted by appropriation, such other assistants and employees as he may deem necessary to discharge his responsibilities under this chapter. Such assistants and employees shall not be included in the classified civil or career service of the county.

C. The director may delegate to other members of his staff any of his authority or duties under this chapter except this power of delegation and the duty formally to make recommendations to administrative agencies or reports to the King County executive and/or the county council. (Ord. 11107 § 6, 1993: Ord. 5869 § 9, 1982: Ord. 473 § 8, 1970).

**2.52.090 Powers.** The director shall have the following powers:

A. To investigate, on complaint or on his own, any administrative act of any administrative agency;

B. To prescribe the methods by which complaints are made, received and acted upon; he may determine the scope and manner of investigations to be made; and, subject to the requirements of this chapter, to determine the form, frequency and distribution of his conclusions and recommendations;

C. To request and he shall be given by each administrative agency the assistance and information he deems necessary for the discharge of his responsibilities; he may examine the records and documents of all administrative agencies; and he may enter and inspect premises within administrative agencies' control;

D. To administer oaths and hold hearings in connection with any matter under inquiry;

E. To issue a subpoena to compel any person to appear, give sworn testimony or produce documentary or other evidence reasonable in scope and generally relevant to a matter under inquiry; however, the subpoena power shall be limited to matters under written complaints by a citizen of the city or county;

F. To undertake, participate in, or cooperate with general studies or inquiries, whether or not related to any particular administrative agency or any particular administrative act, if he believes that they may enhance knowledge about or lead to improvements in the functioning of administrative agencies.

G. To investigate and enforce the provisions of the Code of Ethics, K.C.C. Ch. 3.04, pursuant to the terms thereof.

H. To provide advice to any person liable for payment of property taxes in King County, including the process for appealing property tax assessments and other matters related to property taxes. (Ord. 11107 § 7, 1993: Ord. 9704 § 11, 1990: Ord. 473 § 9, 1970).

#### **2.52.100 Matters appropriate for investigation.**

A. In selecting matters for his attention, the director shall address himself particularly to an administrative act that might be:

1. Contrary to law or regulation;
2. Unreasonable, unfair, oppressive, or inconsistent with the general course of an administrative agency's functioning;
3. Arbitrary in ascertainment of facts;
4. Improper in motivation or based on irrelevant considerations;
5. Unclear or inadequately explained when reasons should have been revealed;
6. Inefficiently performed; or
7. Otherwise objectionable.

B. The director also may recommend strengthening procedures and practices of administrative agencies. (Ord. 473 § 10, 1970).

2.52.110 - 2.52.150

(King County 12-2002)  
ADMINISTRATION

#### **2.52.110 Action on complaints.**

A. The director shall receive complaints from any source concerning any administrative act. He shall conduct a suitable investigation into the subject matter of the complaint within a reasonable time, unless he believes that:

1. The complainant has available to him another remedy or channel of complaint which he could reasonably be expected to use;
2. The grievance pertains to a matter outside the power of the office of citizen complaints/tax advisor;
3. The complainant's interest is insufficiently related to the subject matter;
4. The complaint is trivial, frivolous, vexatious or not made in good faith;
5. The complaint has been too long delayed to justify present examination of its merit.

B. After completing his consideration of a complaint (whether or not it has been investigated) the director shall suitably inform the complainant and the administrative agency or agencies involved.

C. A letter to the director of the office of citizen complaints/tax advisor from a person in a place of detention or in a hospital or other institution under the control of an administrative agency shall be forwarded immediately, unopened, to the director. (Ord. 11107 § 8, 1993: Ord. 473 § 11, 1970).

#### **2.52.120 Right to present witnesses - Consultation with agency.**

A. Any individual who is the subject of a complaint shall have the right to present witnesses and other evidence in his own behalf prior to disclosure of any conclusions or recommendations by the director.

B. Before publishing a conclusion or recommendation that criticizes an administrative agency or any person, the director shall consult with the agency or person and shall disclose fully the critical findings he intends to publish. (Ord. 473 § 12, 1970).

**2.52.130 Recommendations.**

A. If, having considered a complaint and whatever material he deems pertinent, the director is of the opinion that an administrative agency should:

1. Consider the matter further;
2. Modify or cancel an administrative act;
3. Alter a regulation or ruling;
4. Explain more fully the administrative act in question; or
5. Take any other step,

he shall state his recommendations to the administrative agency. If the director so requests, the agency shall inform him, within the time he has specified, about the action taken on his recommendations or the reasons for not complying with them.

B. If the director believes that an administrative action has been dictated by laws whose results are unfair or otherwise objectionable, he shall bring to the attention of the council his views concerning desirable legislative change. (Ord. 5869 § 10, 1982: Ord. 473 § 13, 1970).

**2.52.140 Publication of recommendations.** The director may publish his conclusions, recommendations and suggestions by transmitting them to the county executive, the county council or to any appropriate committee of the council, the press and others who may be concerned. When publishing an opinion criticizing an administrative agency or person, the director, unless excused in writing by the agency or individual affected, shall include such statement or document that may have been made available to him by way of explaining past conduct or present rejection of the director's proposals. The director shall not publish any interim or confidential reports. (Ord. 5869 § 11, 1982: Ord. 473 § 14, 1970).

**2.52.150 Written reports.** In addition to whatever reports he may make from time to time, the director on the fifteenth day of January, May and September of each year shall report to the county council concerning the exercise of his functions during the preceding calendar period. In discussing matters with which he has dealt, the director need not identify those immediately concerned if to do so would cause unnecessary hardship. Insofar as the report may criticize named agencies or persons, it must also include their replies to the criticism. (Ord. 5869 § 12, 1982: Ord. 473 § 15, 1970).

(King County 12-2002)

KING COUNTY OFFICE OF CITIZEN COMPLAINTS/TAX ADVISOR

2.52.160 - 2.52.170

**2.52.160 Disciplinary action against public personnel.** If the director has reason to believe that any public official, employee or other person has acted in a manner warranting criminal or disciplinary proceedings, he shall refer the matter to the appropriate authorities. (Ord. 473 § 16, 1970).

**2.52.170 Rights and duties of witnesses - Enforcement of subpoenas.**

A. A person required by the director to provide information shall be paid the same fees and allowances, in the same manner and under the same conditions, as are extended to witnesses whose attendance has been required in the courts of this state, excepting that city or county employees who are receiving compensation for the time that they are witnesses shall not be paid the set fees and allowances.

B. A person who, with or without service of compulsory process, provides oral or documentary information requested by the director shall be accorded the same privileges and immunities as are extended to witnesses in the courts of this state.

C. Any witness in a proceeding before the office of citizen complaints/tax advisor shall have the right to be represented by counsel.

D. If a person fails to obey a subpoena, or obeys a subpoena but refuses to testify when requested concerning any matter under examination or investigation at the hearing, the director may petition the Superior Court of King County for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask an order of the court to compel the witness to appear and testify before the office of citizen complaints/tax advisor. The court upon such petition shall enter an

order directing the witness to appear before the court at a time and place to be fixed in such order and then and there to show cause why he has not responded to the subpoena or has refused to testify. A copy of the order shall be served upon the witness. If it appears to the court that the subpoena was properly issued and that the particular questions which the witness refuses to answer are reasonable and relevant, the court shall enter an order that the witness appear at the time and place fixed in the order and testify or produce the required papers and on failing to obey the order the witness shall be dealt with as for a contempt of court. (Ord. 11107 § 9, 1993: Ord. 473 § 18, 1970).

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(King County 12-2002)

## EMERGENCY MANAGEMENT

2.56.010 - 2.56.020

### **Chapter 2.56 EMERGENCY MANAGEMENT<sup>1</sup>**

#### **Sections:**

- 2.56.010 Declaration of policy and purpose.
- 2.56.020 Definitions.
- 2.56.030 Emergency management organization - Establishment.
- 2.56.040 Powers and duties.
- 2.56.050 Use of existing resources.
- 2.56.060 Continuity of government.
- 2.56.070 Severability.

**2.56.010 Declaration of policy and purpose.** Because of the existing and increasing possibility of emergencies which exceed local resources, in order to ensure that the preparations of King County are adequate to deal with such emergencies, to ensure adequate support for search and rescue operations, to manage recovery from such emergencies, to generally protect the public peace, health and safety, and to preserve the lives and property of the people of the county, it is hereby found and declared to be necessary:

- A. To establish a county organization for emergency management by the county executive;

B. To confer upon the executive the emergency powers necessary for carrying out emergency management functions;

C. To represent the emergency management functions of the county in all dealings with public or private agencies pertaining to emergency services and disasters;

D. To provide for rendering of mutual aid among the political subdivisions of the state within King County and to cooperate with state governments with respect to carrying out emergency management functions;

E. To provide programs, with intergovernmental cooperation, to educate and train the public to be prepared for emergencies;

F. To ensure that to the maximum extent possible all emergency management operations of the county are coordinated with the comparable functions of state and federal governments and with private agencies of every type to the end that the most effective preparation and use may be made of the area's manpower, resources and facilities for dealing with emergencies that may occur.

G. To ensure coordination and cooperation consistent with the provisions of RCW 38.52.070, as amended, between divisions, services, and staff of the emergency services functional units of this county, and resolving questions of authority and responsibility that may arise among them. (Ord. 12163 § 6, 1996: 12075 § 14, 1995).

**2.56.020 Definitions.** Terms used herein shall be given their common and ordinary meaning except where otherwise declared or clearly apparent from the context. Additionally, the following definitions shall apply:

A. "Emergency management" means the preparation for and the carrying out of all emergency functions to mitigate, prepare for, respond to and recover from emergencies and disasters, and to aid victims suffering from injury or damage caused by all hazards, whether natural or human-made, and to provide support for search and rescue operations for persons or property in distress pursuant to the provisions of chapter 38.52 RCW.

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<sup>1</sup> [For the statutory provisions regarding Washington Emergency Management Act, see Chapter 38.52 RCW.]

2.56.020 - 2.56.040

(King County 12-2002)  
ADMINISTRATION

B. "Emergency" or "disaster" means an event or set of circumstances such as fire, flood, explosion, storm, earthquake, epidemic, riot or insurrection, which demands the immediate preservation of order or of public health or the restoration to a condition of usefulness of any public property the usefulness of which has been destroyed, or where delay will result in financial loss to the county or for the relief of a stricken community overtaken by such occurrences or which reaches such a dimension or degree of destructiveness or warrants the executive to proclaim a state of emergency pursuant to K.C.C. 12.52.030 and/or the execution of emergency management operations plans.

C. "Search and rescue" means the acts of searching for, rescuing, or recovering by means of ground, marine or air activity, any person who becomes lost, injured or is killed while outdoors or as a result of a natural or human-made disaster, including instances involving searches for downed aircraft when ground personnel are used.

D. "Vacancy" means that the office of a county official is legally unoccupied due to the incumbent's death, resignation, incapacity, declaration of incompetency by a court of competent jurisdiction, or other reason as provided for in Article 680 of the county charter. (Ord. 12163 § 7, 1996: Ord. 7790 § 3, 1986).

**2.56.030 Emergency management organization - Establishment.** There is established pursuant to state law a King County emergency management division, the operation of which shall be the responsibility of the director of the department of information and administrative services. The mission of the

emergency management division shall be to provide for the effective direction, control and coordination of county government emergency services functional units, and to provide liaison with other governments and the private sector, in compliance with an approved emergency management plan. (Ord. 12075 § 15, 1995).

#### **2.56.040 Powers and duties.**

A. The executive shall have general supervision and control of the emergency management organization and shall be responsible for implementing the provisions of K.C.C. 2.56 in the event of a disaster.

B. In performing the executive's duties pursuant to this chapter, and to effect its policy and purpose, the executive is further authorized and empowered to:

1. Make, amend and rescind the necessary orders, rules, and regulations to implement the provisions of this chapter within the authority conferred upon him herein and in K.C.C. 12.52, consistent with the provisions of state law and the plans of the state and federal government.

2. Cooperate with state governments, federal government, local governments and with other counties and with the provinces of the Dominion of Canada, and with private agencies in all matters pertaining to the emergency management operations of the county.

3. Prepare a comprehensive plan and program for the emergency management of the county pursuant to state law, and to submit the plan and program including but not limited to elements addressing mitigation activities, preparedness, responses to disasters and emergencies, and recovery operations to the state director of emergency management for the director's recommendations thereto and certification for consistency with the state comprehensive emergency management plan in order to ensure that local emergency operations are coordinated with the state plan and program.

4. In accordance with such plan and program for county emergency management, procure supplies and equipment, institute professional and public training programs and public information and educational programs, manage and coordinate disaster drills, and take all other preparatory steps including the full or partial mobilization of the emergency management organization in advance of an actual disaster to ensure the furnishing of emergency management personnel in time of need.

5. Act as the hazardous material incident coordinating agency for King County as referenced in federal Title III, the Emergency Planning and Community Right-to-Know Act of 1986, as amended.

6. Coordinate preparation of disaster proclamations and the appropriate documentation thereof for the purpose of obtaining state and federal relief and assistance.

7. Following implementation of the 800 MHz regional emergency communications system, manage and coordinate the county's internal interdepartmental radio communications system and prioritize communications in emergencies which exceed local resources;

(King County 12-2002)

EMERGENCY MANAGEMENT

2.56.040 - 2.56.070

8. Following implementation of the 800 MHz regional emergency communications system, represent the county concerning the management of the county's share of the system consistent with any interlocal agreements with other jurisdictions.

9. On behalf of the county, enter into mutual aid arrangements in collaboration with other public and private agencies for reciprocal emergency aid and assistance in the event of a disaster too great to be managed without assistance.

10. Delegate any administrative authority vested in the executive pursuant to this chapter and provide for the subdelegation of any such authority. (Ord. 12163 § 8, 1996: Ord. 12075 § 16, 1995).

#### **2.56.050 Use of existing resources.**

A. In implementing the provisions of this chapter, the county executive is directed to use the services, equipment, supplies, and facilities of existing departments, offices and agencies of the county to the maximum extent practicable.

B. The county executive, in the event of a disaster, after proclamation by the governor of the state of the existence of such a disaster, shall have the power to command the service and equipment of as many citizens as considered necessary in the light of the disaster proclaimed.

Provided that:



Citizens so commandeered shall be entitled during the period of such service to all privileges, benefits and immunities as are provided by law for registered emergency workers. (Ord. 7790 § 6, 1986).

**2.56.060 Continuity of government.** In the event of a disaster, it is essential to assure continued operation of county government, to preserve and protect records essential to the continued functioning of county government, and to provide for the appointment of temporary interim successors to the elected and appointed offices of the county.

A. Office of the Executive. In the event that a vacancy exists or occurs in the office of the executive during or immediately following the occurrence of a disaster requiring the execution of the county's emergency management operations plan, the powers and duties of the office of the executive, subject to the provisions of the King County Charter, shall be exercised and discharged by a temporary interim successor designated pursuant to executive order.

B. Council business during an emergency will be conducted pursuant to K.C.C. 1.28.

C. Other Elected Officials. Elected officers of the county, other than the executive and county councilmembers, are authorized and directed to designate temporary interim successors to the office of such officer in the event a vacancy occurs during an emergency caused by a disaster.

D. Appointed Officers. The executive shall, subject to rules and regulations that the executive may adopt, permit each appointed officer of the county to designate temporary interim successors in the event a vacancy occurs during an emergency caused by a disaster.

E. Termination of Succession. Any county officer succeeding to an office on a temporary interim basis pursuant to this chapter shall exercise and discharge the duties and powers of that office as prescribed by the charter or by ordinance only until such time as a regularly appointed successor is designated by the customary means.

1. Successors to fill vacancies in elective offices shall be appointed by the council pursuant to Section 680 of the King County Charter and the state constitution until a permanent successor is duly elected and qualified.

2. Successors to fill vacancies in appointed offices shall be made by the executive, or other authorized officer, subject to the confirmation process where applicable. (Ord. 12163 § 9, 1996: Ord. 12075 § 17, 1995).

**2.56.070 Severability.** Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such discussion shall not affect the validity of the remaining portions of this chapter. (Ord. 7790 § 10, 1986).

2.58.010

(King County 12-2002)  
ADMINISTRATION

## **Chapter 2.58 EMERGENCY RADIO COMMUNICATION SYSTEM**

### **Sections:**

- 2.58.010 Findings and declaration of purpose.
- 2.58.020 Definitions.
- 2.58.030 Eligible expenditures.
- 2.58.040 Use of the central allocation and project revisions.
- 2.58.050 Establishment of regional communications board.
- 2.58.060 Distribution of levy proceeds.
- 2.58.070 Limitation on imposition of levy and future support.
- 2.58.080 Deposit of proceeds.
- 2.58.090 Severability.

**2.58.010 Findings and declaration of purpose.** The council finds that:

A. Currently, many emergency radio communication systems within King County lack the capacity to manage normal daily operations and many others are unable to accommodate any growth in their existing operations. None of the existing systems could manage the additional radio traffic which would occur in the event of a large or widespread disaster. Communication links between jurisdictions are very limited, making coordination of a response to a major emergency difficult or impossible. Existing communication systems are also physically vulnerable to earthquakes or other natural catastrophes. Major dispatch centers currently have no backup facilities and if one of these dispatch centers is destroyed during a major disaster, emergency-911 response in the affected area would be drastically curtailed.

B. The emergency radio communication system (the "System") required by the county to meet its needs and the needs of the jurisdictions within King County and which is authorized to be acquired and installed by this chapter represents recent technological advances which will allow an integrated emergency communications system to be implemented on a county-wide basis. This new radio communication technology will increase communication capacity within each jurisdiction and also allow different governmental agencies throughout King County to communicate directly with each other. This technology should dramatically improve the ability of government agencies throughout King County to respond in a coordinated manner to a major disaster and would enhance the safety of front-line emergency response personnel. The new technology will also provide a highly reliable communications network, better able to withstand damage resulting from an earthquake, as well as backup dispatch communication capacity to be shared by all emergency response agencies within King County.

C. The City of Seattle and several other governmental entities, have commenced acquisition of such systems. These systems include a microwave transmission network, an 800 MHz trunked two-way radio system, and related equipment, materials and services. The City of Seattle prepared its procurement and contracting documents in such a manner as to allow participation in the acquisition and installation of such systems by all other governments in King County that need such systems and that execute agreements with the City of Seattle that enable procurement from the City of Seattle's vendors on the same terms and conditions.

D. In addition to serving the needs of public safety and public disaster management and relief, access to the System may also be made available, as capacity allows, to other public entities and to private entities, provided that such private entities perform emergency response duties.

E. The System, which has been proposed for acquisition and installation, satisfies the above-described criteria and meets the needs of the county and the jurisdictions within King County. The proposed System contemplates an 800 megahertz "trunked" radio communications system, with compatible mobile and portable radios, microwave transmission network, base stations, control stations, two network controllers, one of which will actively control the entire system and the other of which will actively control the entire system and the other of which will act as a fully redundant backup, and other related equipment. The System also will have the capacity to interface with non-800 MHz radio systems of those jurisdictions which are not fully covered by the 800 MHz System.

The components of the proposed System and cost estimates for such components are described in more detail in Exhibit 1\* to Ordinance No. 10464. (Ord. 10464 § 1, (part) 1992).

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\* Available in the office of the clerk of the council.

(King County 12-2002)

## EMERGENCY RADIO COMMUNICATION SYSTEM

2.58.020

**2.58.020 Definitions.** As used in this chapter, the words hereinafter defined have the meaning set forth in this section.

A. Agreement means an interlocal Cooperation Agreement, entered into pursuant to RCW 39.34.

B. Board means the Regional Communications Board established pursuant to Section 2.58.050 of this chapter.

C. Central Allocation means a central fund including contingency, which is identified in Exhibit 1\* to Ordinance No. 10464 and is to be administered by the county in accordance with this chapter.

D. County means the county of King.

E. Eastside Cities means the Eastside Public Safety Communications Agency, a public agency created pursuant to RCW 39.34, initially consisting of the cities of Bellevue, Redmond, Kirkland and Mercer Island.

F. Legislative Authority means the council and executive of King County.

G. Levy means the levy of regular property taxes in excess of the 106% limitation on levies, for the specific purposes and terms as provided herein and authorized by the qualified electors of King County pursuant to state law.

H. Levy proceeds means the principal amount of funds raised by the levy, any interest earnings thereon and the proceeds of any interim financing authorized following voter approval of the levy.

I. Port of Seattle means the Port of Seattle, a municipal corporation of the state of Washington.

J. Project means all authorized costs and activities relating to the development, acquisition and installation of an emergency radio communication System using levy proceeds as described in this chapter and as subsequently modified as set forth in this chapter. Pursuant to the terms of this chapter, the term also includes non-800 MHz radio equipment and the capacity to interface with the non-800 MHz radio systems of jurisdictions which will not be included fully within the coverage of the 800 MHz System. Pursuant to the terms of this chapter, the term also includes radio communications enhancements for public agencies with responsibility for public safety and disaster management and relief.

K. Subregion(s) or Subregional System Management Group(s) means the county, Seattle, the Port of Seattle, Eastside Cities and Valley Communication Center or their successors or replacements if any of the identified subregions fails to execute an agreement with the county in accordance with this chapter or perform in accordance with the terms and obligations of such agreements, thereby terminating such agreements.

L. Seattle means the City of Seattle.

M. System means an 800 megahertz "trunked" radio communications system with compatible mobile and portable radios, base stations, a microwave transmission network, network controllers and other related equipment.

N. Valley Communications means the Valley Communications Center, a public agency created pursuant to RCW 39.34, initially consisting of the cities of Kent, Tukwila, Auburn and Renton. (Ord. 10464 § 2, 1992).

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\* Available in the office of the clerk of the council.

2.58.030 - 2.58.050

(King County 12-2002)  
ADMINISTRATION

**2.58.030 Eligible expenditures.** If approved by the qualified electors of King County, all proceeds of the levy authorized herein shall be used to pay the costs of the project. The primary purpose of the project is to design, acquire and install a fully integrated emergency radio communications network, together with the radio and control station units necessary to provide emergency radio communications access among and to police, fire, emergency medical services, public school districts and public hospitals within King County.

The secondary purpose of the project is to provide, to the extent possible within the constraints of available funding and limited available frequencies, sufficient capacity within the System to serve other public agencies.

The third purpose of the project is to provide for general radio communications enhancements for public agencies with responsibilities for public safety and for disaster management and relief, if funds are

available after the primary and secondary purposes of the project have been either: (a) fulfilled; or (b) fulfilled to the extent technically feasible within the constraints of the available 800 MHz frequencies.

Eligible expenditures of levy proceeds shall include: all costs associated with the purchase and installation of radios, other equipment and material, which are part of the project; project planning, engineering, design and management; project systems integration and implementation. Eligible expenditures shall also include payment of any debt issuance and debt service to retire any debt incurred for the project, as well as the funding, refunding, financing or refinancing of debt or the refunding of expenditures already incurred by government agencies within King County to acquire components of the System prior to the availability of levy proceeds. (Ord. 10464 § 4, 1992).

**2.58.040 Use of the Central Allocation and Project Revisions.** It is the intention of the county that the Central Allocation be used to pay the costs identified in Exhibit 1\* and such other project costs as are determined by the process set forth herein. The Central Allocation may be allocated or reallocated by county ordinance, but only after the county has asked for a recommendation from the Board, established as described in Section 2.58.050. Levy proceeds allocated to the subregions may be reallocated by county ordinance, but only after the county has asked for a recommendation from the Board and only after a subregion has failed to meet its responsibilities for implementation of the project as specified in this chapter or in an agreement between the county and that subregion. In no case shall the primary purpose of the project, as described in Section 2.58.010, be altered by such reallocation.

If actual project costs are lower than currently estimated, and after the primary and secondary purposes of the project have been fulfilled, the subregions may reallocate such excess levy proceeds to provide public radio communication enhancements, which are compatible with the purposes of the project. (Ord. 10464 § 6, 1992).

**2.58.050 Establishment of Regional Communications Board.** Upon approval by the electors of King County of the ballot proposition set in this chapter, a Regional Communications Board shall be appointed by the county legislative authority to advise the county regarding the distribution of levy proceeds, project revisions and other matters that affect more than one subregion. Representation on this board shall consist of the following: one member from the county subregion, one member from each other subregion that executes an agreement with the county and one member nominated by public emergency service agencies within King County, which do not have a voting representative on the governing body of any subregion, to represent the interests of such agencies and other public agencies which may use the System. Subregions shall nominate their own representatives. (Ord. 10464 § 7, 1992).

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\* Attached to Ordinance 10464, available in the office of the clerk of the council.

(King County 12-2002)  
EMERGENCY RADIO COMMUNICATION SYSTEM

2.58.060

**2.58.060 Distribution of Levy Proceeds.**

A. Distribution of levy proceeds to subregions shall be in accordance with the subregional fund allocation identified in Section 5 of Ordinance No. 10464 and, except as to the county subregion, which is addressed below, pursuant to agreements executed between the county and the subregions, which agreements shall require said subregions, at a minimum, to:

1. Complete implementation, maintain and operate the portions of the System applicable to each subregion in accordance with the design and minimum operation and maintenance standards approved by the Board, and the subregional fund allocation identified in Exhibit 1\*. At a minimum, such standards shall require that the System shall be implemented, operated and maintained in such a manner so that no police,

fire or emergency medical agency using the system shall suffer a degradation of radio services or coverage as compared to the radio services and coverage which existed prior to the implementation of the System.

2. Make available to each city and fire district listed as part of their respective subregions in Exhibit 2\*, levy proceeds for the purchase of 800 MHz radios which are compatible with the System, in the amount of \$3700 per radio multiplied times the number of radios listed in Exhibit 2\*, plus as additional three (3) percent of that amount for the purchase of spare radio units.

3. Provide access to the System for police, fire and emergency medical agencies listed as part of their respective subregions in Exhibit 2\* and for other public users if sufficient System capacity permits, at rates that do not exceed the costs of maintaining, operating and collecting replacement reserves for that portion of the System which is utilized by such other public users. Such rates shall not discriminate between public users which have voting representatives on the governing body of the subregion charging rates and all other public users.

4. Make microwave capacity obtained as part of the project available to other subregions sufficient to integrate the System. Such access shall be made available at rates that do not exceed a proportionate share of the costs of operating, maintaining and collecting replacement reserves for such microwave systems;

5. Maintain accounts and records, as may be deemed necessary by the county to ensure proper accounting for all levy proceeds and project funds;

6. Provide right of access to the county at all reasonable times to its facilities and records for inspection, review or audit;

7. Provide the county and the board implementation schedules and progress reports;

8. Place sufficient licensed and reserved but not licensed 800 MHz frequencies held by the subregion or a member jurisdiction into a pool for reallocation to public agencies as part of the Project to fully implement the primary purpose of the project and, to the extent that there exist sufficient frequencies for allocation, the secondary purpose of the Project as described in Section 2.58.030; and

9. Provide for the joint ownership by all subregions of System network controllers.

B. Implementation, operation and maintenance of the project and the System within the county subregion shall be consistent with the provisions described in Section 2.58.010-.020, .030, .050-.070.

1. Levy proceeds shall be made available by the county each city and fire district listed as part of its subregion in Exhibit 2\*, with the exception of Fire Districts 10, 27, 38, 45, 49 and 50, for the purchase of 800 MHz radios, which are compatible with the System, in the amount of \$3700 per radio, plus an additional three (3) percent of that amount for the purchase of spare radio units.

2. Because the geography of their territories renders service by the System more difficult, Levy Proceeds shall be made available by the county to Fire Districts 10, 27, 38, 45, 49 and 50, for the purchase of 800 MHz or non-800 MHz radios in the amount of \$3700 per radio multiplied times the number of radios listed in Exhibit 2\*, plus an additional three (3) percent of that amount for the purchase of spare radio units, if in their sole discretion, said Fire Districts elect not to use an 800 MHz System within their jurisdictions if; (a) following implementation of the 800 MHz System, said Fire Districts field test 800 MHz radios to evaluate their adequacy; and (b) said Fire Districts set aside a sufficient portion of the levy proceeds they receive from the county and use it to pay for integrating any non-800 MHz system with the regional 800 MHz System. (Ord. 10464 § 8, 1992).

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\*Attached to Ordinance 10464, available in the office of the clerk of the council.

2.58.070 - 2.59.010

(King County 12-2002)  
ADMINISTRATION

**2.58.070 Limitation on Imposition of Levy and Future Support.** It is essential to the implementation of the project that sufficient 800 MHz frequencies be made available to support a regional System. The council recognizes that the availability of such frequencies may not be finally determined prior to the authorization of the levy by the electors of King County. Imposition of the levy or any portion thereof and any county obligation to provide any financial support to the project shall be dependent upon a determination by the county legislative authority that sufficient 800 MHz frequencies have been made available to the project to accomplish the project's purposes. The county shall not be obligated to provide

funding for the Project or project enhancements beyond the proceeds of the levy authorized in this chapter and imposed by the county legislative authority. (Ord. 10464 § 9, 1992).

**2.58.080 Deposit of Proceeds.** All funds collected pursuant to the Levy authorized herein shall be deposited into the King County emergency communications fund, which shall be a first tier fund and shall be invested for its own benefit as set forth in K.C.C. 4.10. Such fund is hereby established, subject to approval by the electors of the ballot proposition contained herein. The King County department of information and administrative services shall be the fund manager and exercise the powers specified in K.C.C. 4.08. (Ord. 12075 § 18, 1995).

**2.58.090 Severability.** Should any section, subsection, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, that determination shall not affect the validity of the remaining parts of this chapter. (Ord. 10464 § 13, 1992).

## **Chapter 2.59 PUBLIC, EDUCATIONAL AND GOVERNMENT ACCESS TELEVISION CHANNELS**

### **Sections:**

- 2.59.010 Public access channel.
- 2.59.050 Educational access channels.
- 2.59.100 King County Civic Television (CTV) - government access channel - established mission - principles.
- 2.59.110 King County Civic Television (CTV) - government access channel oversight committee.
- 2.59.120 King County Civic Television (CTV) - government access channel - operating policies.
- 2.59.130 King County Civic Television (CTV) - government access channel - funding budget.

**2.59.010 Public access channel.** The executive shall establish a public access channel for the citizens of King County, to be operated by county government or an entity outside of county government provided that;

A. The public access channel shall not begin operation until a new public access production facility for this channel is available,

B. The public access channel shall not begin operation until rules and criteria governing the programming on the public access channel are adopted by the King County executive and the council has been notified of those rules and criteria,

C. No obscene programming shall be allowed on the public access channel. For the purposes of this ordinance, obscene shall mean an activity that, taken as a whole lacks serious literary, artistic, political, or scientific value, and

1. Taken as a whole by an average person applying contemporary community standards, appeals to a prurient interest in sex; or,

2. Taken as a whole by an average person applying contemporary community standards, depicts patently offensive representation of:

- a. ultimate sexual acts, normal or perverted, actual or simulated; or
- b. masturbation, fellatio, cunnilingus, bestiality, excretory functions, or lewd exhibition of the genitals or genital area; or
- c. violent or destructive sexual acts, including but not limited to human or animal mutilation, dismemberment, rape or torture. (Ordinance 12022 § 1, 1995).

(King County 12-2002)

PUBLIC, EDUCATIONAL AND GOVERNMENT ACCESS TELEVISION CHANNELS 2.59.050 - 2.59.120

**2.59.050 Educational access channels.** The executive shall establish two educational access channels and shall contract with appropriate educational program providers for operation of the channels. (Ord. 12022 § 2, 1995)

**2.59.100 King County Civic Television (CTV) - government access channel - established mission - principles.** A government access channel is hereby established and will be operated by the Metropolitan King County Council with assistance from the Government Access Channel Oversight

Committee. The council establishes the following mission statement and policy principles by which the channel will be operated:

"The King County government access cable television system belongs to the citizens of King County and exists to serve citizens directly. In its development and operation, the government access cable system will be guided by the following principles:

- A. The system shall be used to increase citizen dialogue about the development of county policies;
- B. The system shall be used to make government decision making more accessible to citizens;
- C. The system shall be used to provide information of direct value to citizens;
- D. The system shall be used to foster debate of ideas and diversity of viewpoints.
- E. The system shall make use of creative solutions and a multiplicity of current and emerging technologies to comply with these principles.
- F. The system shall be as independent as possible in its operation and funding to insulate it from influences which may stifle the public information goals reflected in this statement.

Consistent with Motion 8972, programming on the government access channel shall also inform the public about the deliberations of the Metropolitan King County Council and the Regional Policy committees that advise the council as well as programming that highlights important county services including but not limited to: public transit, vanpool and rideshare services, commuter trip reduction services, water quality, jury duty, court and legal services, public safety, public health, property taxes and tax assessments, voter registration, disability services, licensing, permits, citizen complaints, senior citizen programs, family programs, animal control, drug and alcohol treatment, mental health services, and adult and youth detention. Programming relevant to county policies and issues produced by entities outside county government may also be aired. (Ord. 12022 § 3, 1995).

**2.59.110 King County Civic Television (CTV) - government access channel oversight committee.** There is hereby created the government access channel oversight committee to assist in operation of the King County government access channel. The government access channel oversight committee shall consist of the following members:

- A. Two councilmembers, one from each party,
- B. The county executive or designee,
- C. The director of information and administrative services,
- D. Three citizens with experience in the management and operation of government access channels for cable television. They shall be appointed by the executive and confirmed by the council for terms not to exceed four years. The three citizen members of the oversight committee shall be compensated at \$50 per diem when attending to oversight committee business. The government access channel oversight committee shall develop and propose policies and procedures to be adopted by the council by ordinance to govern the operation of the government access channel. The committee may recommend to the council whether to contract with an entity outside county government to operate the government access channel. The government access channel shall carry at least four hours of programming from TVW, the private non-profit provider of public policy programming in Washington state, until such time as another channel is available. (Ord. 12022 § 4, 1995).

**2.59.120 King County Civic Television (CTV) - government access channel - operating policies.** The operational framework, approved by the government access channel oversight committee, and dated October 7, 1996, and attached as Attachment 1 to Ordinance 12543\*, is hereby adopted as the operating policies of the government access channel. (Ord. 12543 § 1, 1996).

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\* Available in the office of the clerk of the council.

2.59.130 - 2.60.027

(King County 12-2002)  
ADMINISTRATION

**2.59.130 King County Civic Television - government access channel - funding, budget.** Operation of the government access channel, known as King County Civic Television, shall be fully funded by cable television franchise fees, grants and donations, as well as fees for service between King County Civic Television and other agencies. Each year, the manager will submit a proposed budget to a subcommittee of the government access channel oversight committee consisting of its citizen members. This subcommittee shall review and recommend the budget. It will then be submitted for consideration in

the legislative branch budget in a manner consistent with the county's budgeting process. Beginning in 1998, the operational budget for King County Civic Television should not be less than twenty-five percent of the expected annual revenue from cable franchise fees. (Ord. 12543 § 2, 1996).

## **Chapter 2.60 PUBLIC DEFENDER**

### **Sections:**

- 2.60.010 Purpose.
- 2.60.020 Office of the public defender established.
- 2.60.025 Public defender -- established.
- 2.60.027 Public defender -- duties.
- 2.60.030 Public defense program functions.
- 2.60.040 Agreements for legal services.
- 2.60.050 Availability of services.
- 2.60.054 Fees for applications for counsel.
- 2.60.060 Eligibility for services.
- 2.60.070 Funding agreements.

**2.60.010 Purpose.** It is declared a public purpose that each citizen is entitled to equal justice under law without regard to his ability to pay. It is the intention of King County to make publicly financed legal services available to the indigent and the near indigent person in all matters when there may be some factual likelihood that he may be deprived of his liberty pursuant to the laws of the state of Washington or King County. It is also the intention of King County to make such services available in an efficient manner which provides adequate representation at reasonable cost to the county. (Ord. 8257 § 1, 1987).

**2.60.020 Office of the public defender established** There is hereby established within the department of community and human services the office of the public defender. A public defender shall be appointed by the director of the department of community and human services and approved by the county council. To assist the director in the selection of a public defender, there shall be convened an advisory committee, which shall be representative of the criminal justice system and the broader community. (Ord. 14412 § 1, 2002; Ord. 8257 § 2, 1987; Ord. 383 § 2, 1970).

**2.60.025 Public defender -- established.** There is hereby established a public defender reporting to the director of the department of community and human services. The public defender shall be a licensed attorney with prior experience in public defense and management. The director of the department of community and human services shall appoint the public defender from a list of three names submitted by the advisory committee. The appointment of the public defender is subject to confirmation by the county council. (Ord. 14412 § 2, 2002).

**2.60.027 Public defender -- duties.** The duties of the public defender shall include the following:

- A. Manage the office of the public defender;
- B. Represent the department in all city, county, state and federal forums where the defense perspective is required; and
- C. Develop appropriate standards and guidelines for the qualification and experience level of attorneys and paraprofessionals.

(King County 12-2002)  
PUBLIC DEFENDER

2.60.030 - 2.60.060

**2.60.030 Public defense program functions.** The functions of the public defense program shall include:

- A. Negotiation and monitoring of contracts for legal defense services to persons eligible under this program with nonprofit organizations formed for the specific purpose of providing legal defense services to the indigent;



B. Establishment and maintenance of a list of lawyers who wish to participate in the defense of persons eligible under the public defense program;

C. Assignment of cases to the contracted agencies or to assigned counsel where conflicts of interest or other special circumstances exist which require use of assigned counsel as opposed to the contracted agencies;

D. Investigation and determination of eligibility for legal defense services through the public defense program. In addition, the public defense program shall secure reimbursement from eligible persons, including the parents of juveniles receiving legal defense service through the program, where such persons can afford to pay some or all of the cost to King County of providing them such legal defense services;

E. Preparation of an annual budget for the program which evaluates and forecasts service delivery levels and program expenses for contractors, assigned counsel and administration. Such evaluations and forecasts shall include an analysis of the impact, if any, of changes in the procedures or practices of the courts, prosecutor, police, public defense contractors, or other elements of the criminal justice system. (Ord. 8257 § 3, 1987).

**2.60.040 Agreements for legal services.** The county executive may enter into agreements with nonprofit corporations formed for the specific purpose of rendering legal services in behalf of indigents to provide legal services to persons eligible for representation through the public defense program. All such contracts entered into by the county executive shall be subject to approval by the county council. (Ord. 8257 § 7, 1987: Ord. 1637 § 1, 1973: Ord. 383 § 4, 1970).

**2.60.050 Availability of services.** Legal defense services through the public defense program shall be available to all eligible persons for whom counsel is constitutionally required. In addition, legal defense services through the public defense program will be available when funds are available therefor to all eligible persons when there may be some factual likelihood of such person's loss of liberty by an act of King County or any of its agencies, including but not limited to a violation of any law of the State of Washington or ordinance of King County, juvenile matters, mental illness and similar commitment proceedings, revocations and habeas corpus proceedings when such arise in King County.

Legal defense services through the public defense program may be made available, at his or her expense, to a person charged in King County with a felony of public notoriety when the court finds that the defendant is unable to employ adequate private counsel as a result of such public notoriety. The administrator of the public defense program shall establish a reasonable fee for such legal defense services, subject to the approval of the court. (Ord. 8257 § 4, 1987: Ord. 383 § 5, 1970).

**2.60.054 Fees for applications for counsel.** A defendant requesting counsel at public expense shall pay a processing fee a twenty-five dollars as reimbursement to King County for the administrative costs and expenses incurred in the processing of the application. The processing fees is payable at the time the request for public counsel is made to the office of public defense. Processing fees are not refundable, even if the defendant is determined to be not eligible for counsel at public expense. A defendant will not be denied counsel because the defendant cannot pay the processing fee. All processing fee payments received shall be credited to the county current expense fund. (Ord. 13328 § 2, 1998: Ord. 10167 § 1, 1991).

**2.60.060 Eligibility for services.** To be eligible to receive legal defense services through the public defense program at no cost, the person must be financially unable to obtain adequate representation without substantial hardship to himself and his family and there must be some factual likelihood that he will be deprived of his liberty. If a person has some resources available which can be used to secure representation but not sufficient resources to pay the entire costs of private legal services without substantial hardship to himself and his family, the public defense program shall determine how much the person shall pay for the legal defense services provided through the public defense program. (Ord. 8257 § 5, 1987: Ord. 383 § 6, 1970).

2.60.070 - 2.68.005

(King County 12-2002)  
ADMINISTRATION

**2.60.070 Funding agreements.** The public defense program may provide its services to other municipalities in King County on a reimbursable basis and is authorized to negotiate appropriate contractual agreements therefor. (Ord. 8257 § 6, 1987).

## **Chapter 2.64 JUSTICE OF THE PEACE**

### **Sections:**

2.64.010     Audit of books.

**2.64.010 Audit of books.** All justices of the peace of King County, excepting those in Seattle precinct, shall present their books to the county auditor for audit, and they shall conform to the statutes of the state of Washington regulating their office. (Res. 7295 (part), 1939).

## **Chapter 2.68 JUSTICE COURT DISTRICT PLAN**

### **Sections:**

2.68.005     Purpose and intent.  
2.68.010     Authority of the presiding judge.  
2.68.020     Division of probation.  
2.68.070     King County District Court - Organization.  
2.68.075     Electoral Districts - Established - Provisions.  
2.68.078     Number of judges elected in each electoral district.  
2.68.085     Electoral district boundaries.

#### **2.68.005 Purpose and intent.**

A. The King County council finds that a unified, countywide district court, utilizing existing court facilities as satellites, while at the same time supporting the concept of local filing and handling of cases, would provide for a more equitable and cost effective system of justice for the citizens of King County. It further recognizes its function to serve municipal courts and the continuation of contract municipal courts within the district court facilities where occurring, located as close to the municipality as possible. It is the intent of council to establish such a unified district court system.

B. The council has received the districting committee report dated September 28, 1988, which unanimously recommended to the council the concept of a unified single district court. The council finds that the interest and welfare of the public would be best served by a unified single district court. This would provide the best institutional setting for district courts. While recognizing and respecting the constitutional separation of power, the council would encourage the court to continue moving forward, under the administrative authority of a strong presiding judge, to achieve and enhance equity in policies, uniform court rules, forms and administrative procedures, standard personnel classification and procedures, flexibility for judicial assignments in order to balance the workload of the various satellite facilities, and achieve overall cost savings where found appropriate through centralization and consolidation of facilities, personnel and case assignments.

C. While the council recognizes the importance of meeting the needs of all citizens it serves in the region, it also recognizes the need to operate in a cost effective manner in order to address continuing current expense deficits. The council supports the provision of district court services throughout the county, but also expects that county agencies, including the district court, provides services in the most cost effective way. As a consequence, the council is amending the county district court plan for 2003 to reduce the number of court divisions and provide for greater flexibility in the court's allocation of resources and facilities. (Ord. 14374 § 4, 2002: Ord. 8935 § 3, 1989. Formerly K.C.C. 2.68.060).

(King County 12-2002)  
JUSTICE COURT DISTRICT PLAN

2.68.010 - 2.68.070

**2.68.010 Authority of the presiding judge.** The King County district courts shall be administered by a presiding judge elected according to ARLJ5. The powers and duties of the presiding judge shall be those in ARLJ5(b) and shall specifically include the power to temporarily reassign judges from one electoral district to another to ensure the expeditious and efficient handling of all cases and equal distribution of the workload among the several judges. (Ord. 14374 § 1, 2002: Ord. 9282 § 1, 1990).

**2.68.020 Division of probation.** There is established a division of probation responsible for providing probation services to the King County district courts. The division of probation shall be administered by the district court presiding judge, supervised by a division director and funded in the same manner as the district courts. Existing employees of the corrections division of the department of rehabilitative services who are transferred to the division of probation and who were county career service employees on the effective date of the transfer shall be provided with employment rights at least equivalent to those which they were accorded under the career service system, as established by Article 5 of the King County Charter. Employees of the division of probation who are hired after the effective date of the transfer shall be exempt from the career service, as defined by Section 550 of the King County Charter. (Ord. 14374 § 2, 2002: Ord. 9282 § 2, 1990: Ord. 4549 § 3, 1979).

**2.68.070 King County district court - organization.**

A. There is created a single district court, whose boundaries are all the area within the boundaries of King County, including the centerline of Puget Sound and all of the current city of Bothell, as a joint district court district established under RCW 3.38.060 and named the district court of the state of Washington in and for the district of King County.

B. The number of judges of the King County district court is twenty-six full-time judges.

C. The 2001 population of King County is one million six hundred eighty-five thousand six hundred.

D. The location of the central office of the King County district court is the King County Courthouse, Seattle, Washington.

E. There are eight court facilities within the unified district located as follows:

1. South division:

a. City of Kent; and

b. City of Burien with additional facilities in the vicinity of Vahson business district;

2. East division:

a. City of Bellevue;

b. City of Issaquah;

c. City of Mercer Island;

d. City of Redmond; and

e. City of Shoreline; and

3. West Division: City of Seattle.

F. The administrative records of the King County district court shall be maintained at the central office or in a location designated by the presiding judge. Court records shall be located at the respective court facilities or in a location designated by the presiding judge.

G. The number and location of district court commissioners shall be as authorized, together with such additional court commissioners as the district court may require. (Ord. 14584 § 1, 2003: Ord. 14374 § 10, 2002: Ord. 14374 § 6, 2002: Ord. 10352 § 1, 1992: Ord. 9862 § 1, 1991: Ord. 9386, 1990: Ord. 8935 § 4, 1989).

2.68.075 - 2.68.085

(King County 6-2003)  
ADMINISTRATION

**2.68.075 Electoral Districts - Established - Provisions.**

A. District court judges shall be elected to the King County district court from electoral districts defined in Section 2.68.085. The precise number of judges elected from each electoral district shall be determined by the county council on or before May 1, 1990, and on or before May 1, of each fourth year thereafter.

B. All candidates for King County district court must file for and be elected in one of the district court electoral districts created by this chapter. Any candidate for King County district court must be a registered voter and legal resident of the district court electoral district within which he or she files. (Ord. 11041 § 2, 1993: Ord. 9427 § 1, 1990: Ord. 8935 § 5, 1989).

**2.68.078 Number of judges elected in each electoral district.** The number of judges to be elected in each of the electoral districts within the single King County district court shall be as follows:

- A. South 11
- B. East 10
- C. West 5.

(Ord. 14374 § 11, 2002: Ord. 14374 § 7, 2002: Ord. 10292, 1992: Ord. 9922 § 2, 1991: Ord. 9862 § 2, 1991: Ord. 9427 § 7, 1990).

**2.68.085 Electoral district boundaries.**

A. The west electoral district shall be all of the area within the line described in subsection B of this section. The boundaries of the other electoral districts shall consist of the election precincts contained in subsections C through D of this section. The precincts listed in this section consist of election precincts that have been established by the King County council under K.C.C. 1.12.010.

B. West electoral district. All of the area within the boundary of the city of Seattle which includes to the centerline of the waters of Puget Sound and the centerline of Lake Washington.

C. The boundaries of the south electoral district shall consist of the following election precincts:

AKERS	ALG 30-0013	ALG 30-0014	ALG 30-3141
ANGEL CITY	ANGELO	ANTOINE	APOLLO
AQUALINE	AQUAVIEW	ARBOR LAKE	ARIA
ARTHUR	ATKINSON	AUB 31-0042	AUB 31-0046
AUB 31-0048	AUB 31-0049	AUB 31-0050	AUB 31-0051
AUB 31-0053	AUB 31-0054	AUB 31-0058	AUB 31-0062
AUB 31-0063	AUB 31-0064	AUB 31-0065	AUB 31-0067
AUB 31-0069	AUB 31-0070	AUB 31-0071	AUB 31-0080
AUB 31-0081	AUB 31-0082	AUB 31-0083	AUB 31-2702
AUB 31-2703	AUB 31-3299	AUB 31-3335	AUB 31-3405
AUB 31-3476	AUB 31-3477	AUB 47-0041	AUB 47-0045
AUB 47-0047	AUB 47-0055	AUB 47-0056	AUB 47-0059
AUB 47-0072	AUB 47-0073	AUB 47-0074	AUB 47-0078
AUB 47-0328	AUB 47-2478	AUB 47-2551	AUB 47-2700
AUB 47-2701	AUB 47-2723	AUB 47-2729	AUB 47-3187
AUB 47-3324	AUB 47-3413	AUB 47-3440	AUB 47-3455

(King County 6-2003)  
JUSTICE COURT DISTRICT PLAN

2.68.085

AUBURNDALE	AVALON	B-D 05-0239	B-D 05-2407
B-D 05-2413	B-D 47-0240	B-D 47-3310	B-D 47-3463

BAKER	BENSON	BERNADETTE	BERNICE
BERRYDALE	BETTY	BEVERLY	BIG SOOS
BILOXI	BIRCH	BITTERROOT	BOEING
BOISE	BORMAN	BOSSERT	BRIAR
BRIGID	BRINN	BRITTANY	BROKEN HILL
BROOKS	BRYAN	BRYN MAWR	BUR 11-0009
BUR 11-0289	BUR 11-0298	BUR 11-0377	BUR 11-0562
BUR 11-0824	BUR 11-0957	BUR 33-0094	BUR 33-0251
BUR 33-0281	BUR 33-0476	BUR 33-0515	BUR 33-0710
BUR 33-0729	BUR 33-1067	BUR 33-1155	BUR 33-1229
BUR 34-0025	BUR 34-0276	BUR 34-0295	BUR 34-0311
BUR 34-0344	BUR 34-0381	BUR 34-0402	BUR 34-0465
BUR 34-0489	BUR 34-0524	BUR 34-0560	BUR 34-0699
BUR 34-0846	BUR 34-0848	BUR 34-1032	BUR 34-1057
BUR 34-1058	BUR 34-1059	BUR 34-1064	BUR 34-1081
BUR 34-1082	BUR 34-1104	BUR 34-1116	BUR 34-1136
BUR 34-1150	BUR 34-1192	BUR 34-1219	BURTON
CADDIS	CALHOUN	CAMELOT	CAMPBELL HILL
CANDLEWOOD	CARPENTER	CARRIAGE	CARRIAGE LANE
CASA	CEDAR PARK	CEDAR RIVER	CHAUTAUQUA
CHINOOK	CHRISTOPHER	CLAY	CLOVER
COALFIELD	COLLEGE HEIGHT	COLVOS	CONNAUGHT
COPPERHEAD	CORNELL	COV 05-1203	COV 47-0279
COV 47-0313	COV 47-0566	COV 47-1127	COV 47-1145
COV 47-1153	COV 47-2390	COV 47-2586	COV 47-2711
COV 47-2843	COV 47-2982	COV 47-3244	COV 47-3279
COV 47-3365	COV 47-3458	COVE	CROSS
CROW	CROWN	CUB	CUMBERLAND

2.68.085

(King County 6-2003)  
ADMINISTRATION

CYPRESS	DANIEL	DARWOOD	DELORIS
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DENVER	DES 30-0954	DES 30-3364	DES 33-0016
DES 33-0272	DES 33-0297	DES 33-0360	DES 33-0361
DES 33-0362	DES 33-0363	DES 33-0364	DES 33-0366
DES 33-0367	DES 33-0437	DES 33-0532	DES 33-0668
DES 33-0682	DES 33-0864	DES 33-0911	DES 33-1071
DES 33-1078	DES 33-1128	DES 33-1146	DES 33-1227
DES 33-2394	DES 33-2395	DES 33-2416	DES 33-2454
DES 33-2455	DES 33-2622	DES 33-2623	DES 33-2624
DES 33-2625	DES 33-2626	DES 33-2627	DES 33-2637
DES 33-2671	DES 33-2672	DES 33-2673	DES 33-2674
DES 33-2820	DES 33-3131	DES 33-3170	DES 33-3277
DES 33-3443	DEVILLE	DILWORTH	DOCKTON
DOLLOFF	DOLPHIN	DORRE DON	EARLINGTON
EASTWOOD	ELIZABETH	ELLIOTT	ENM 31-0409
ENM 31-0410	ENM 31-0411	ENM 31-0413	ENM 31-0414
ENM 31-0415	ENM 31-0416	ENM 31-0417	ENM 31-0418
ENM 31-0419	ENM 31-3246	ENM 31-3247	ENM 31-3248
ENM 31-3414	EVERGREEN	EXCALIBUR	FAIRGLEN
FAIRHAVEN	FAIRMONT	FAIRVILLE	FAIRWEATHER
FAIRWOOD	FALCON	FARGO	FARLEY
FED 30-2988	FED 30-2990	FED 30-2991	FED 30-2992
FED 30-2993	FED 30-2994	FED 30-2995	FED 30-2996
FED 30-2997	FED 30-2998	FED 30-2999	FED 30-3000
FED 30-3001	FED 30-3002	FED 30-3003	FED 30-3004
FED 30-3005	FED 30-3006	FED 30-3007	FED 30-3008
FED 30-3010	FED 30-3011	FED 30-3012	FED 30-3013
FED 30-3014	FED 30-3015	FED 30-3017	FED 30-3018
FED 30-3019	FED 30-3020	FED 30-3021	FED 30-3022
FED 30-3023	FED 30-3024	FED 30-3025	FED 30-3026

FED 30-3027	FED 30-3028	FED 30-3029	FED 30-3030
FED 30-3031	FED 30-3032	FED 30-3033	FED 30-3034
FED 30-3035	FED 30-3036	FED 30-3037	FED 30-3038
FED 30-3039	FED 30-3040	FED 30-3041	FED 30-3042
FED 30-3043	FED 30-3044	FED 30-3045	FED 30-3046
FED 30-3047	FED 30-3048	FED 30-3049	FED 30-3050
FED 30-3051	FED 30-3052	FED 30-3053	FED 30-3054
FED 30-3055	FED 30-3056	FED 30-3077	FED 30-3078
FED 30-3079	FED 30-3080	FED 30-3085	FED 30-3086
FED 30-3087	FED 30-3088	FED 30-3089	FED 30-3090
FED 30-3091	FED 30-3092	FED 30-3093	FED 30-3094
FED 30-3095	FED 30-3096	FED 30-3097	FED 30-3098
FED 30-3110	FED 30-3234	FED 30-3235	FED 30-3236
FED 30-3237	FED 30-3238	FED 30-3289	FED 30-3297
FED 30-3301	FED 30-3305	FED 30-3372	FED 30-3392
FED 30-3395	FINDLEY	FISHER	FLICKER
FOOTHILLS	FOREST	FOUR LAKES	FRANCIS
FRANKLIN	FRATER	FREEDOM	FRUITLAND
FULLER	GAILE	GALAHAD	GARLAND
GENEVA	GLASGOW	GLENCARIN	GLENDALE
GLENMAR	GLENWOOD	GRANDVIEW	GRASS LAKE
GREEN RIVER	GREEN VALLEY	GREENBROOK	GREENE
GRIFFITH	GUENEVERE	HAM LAKE	HANK
HANSEN	HAWK	HAWKEYE	HAZELWOOD
HEIGHTS	HERON	HILLCREST	HOBART
HOLM LAKE	HUCKLEBERRY	HUSKY	IDA
ILLAHEE	IMPALA	IOWA	IRMA
JACQUELINE	JEFFERSON	JOVITA	JUNIPER
JUTLAND	KANGLEY	KELLY	KEN 05-3462
KEN 33-0270	KEN 33-0575	KEN 33-0576	KEN 33-0577

KEN 33-0578	KEN 33-0580	KEN 33-0581	KEN 33-0582
KEN 33-0583	KEN 33-0584	KEN 33-0585	KEN 33-0586
KEN 33-0587	KEN 33-0588	KEN 33-0590	KEN 33-0591
KEN 33-0592	KEN 33-0593	KEN 33-0594	KEN 33-0595
KEN 33-0596	KEN 33-0597	KEN 33-0598	KEN 33-0599
KEN 33-0601	KEN 33-0603	KEN 33-1055	KEN 33-2426
KEN 33-2443	KEN 33-2567	KEN 33-2569	KEN 33-2570
KEN 33-2618	KEN 33-2699	KEN 33-2825	KEN 33-2830
KEN 33-2842	KEN 33-2864	KEN 33-3172	KEN 33-3174
KEN 33-3188	KEN 33-3189	KEN 33-3232	KEN 33-3240
KEN 33-3274	KEN 33-3332	KEN 33-3362	KEN 33-3378
KEN 33-3445	KEN 33-3446	KEN 33-3447	KEN 33-3449
KEN 47-0238	KEN 47-0246	KEN 47-0482	KEN 47-0498
KEN 47-0600	KEN 47-0662	KEN 47-0753	KEN 47-0798
KEN 47-0835	KEN 47-0910	KEN 47-1151	KEN 47-2403
KEN 47-2477	KEN 47-2490	KEN 47-2568	KEN 47-2585
KEN 47-2599	KEN 47-2667	KEN 47-2704	KEN 47-2834
KEN 47-2838	KEN 47-2939	KEN 47-2985	KEN 47-3180
KEN 47-3184	KEN 47-3190	KEN 47-3275	KEN 47-3323
KEN 47-3344	KEN 47-3352	KEN 47-3375	KEN 47-3402
KEN 47-3408	KILLARNEY	KINGSTON	KLUMP
KNIGHTS	KRAIN	LAKE DESIRE	LAKE MORTON
LAKE YOUNGS	LAKELAND	LAKERIDGE	LANGSTON
LEA HILL	LEAH	LINCOLN	LINDA
LISABEULA	LITTLE SOOS	LOIS	LUND
LYDIA	LYNN	MADISON	MAPLE GLEN
MAPLE HILLS	MAPLEWOOD	MARDI GRAS	MARGARET
MARIAN	MATHESON	MATILDA	MAURY
MAY VALLEY	MCALLISTER	MCCAULEY	MCCLAIN
MCCOY	MCDIVITT	MCDONALD	MCKINLEY



MEAKIM	MEATH	MERGANSE	MERLIN
MERRIHILL	MIL 30-3146	MILDRED	MILITARY ROAD
MILL CREEK	MILWAUKEE	MIST	MONEYSMITH
MONTEREY	MORGAN	MORRIS	MORTON
MUCKLESHOOT	M-V 05-0528	M-V 05-0697	M-V 05-1218
M-V 05-2614	M-V 05-2748	M-V 05-2841	M-V 05-2857
M-V 05-3242	M-V 05-3245	M-V 05-3272	M-V 05-3322
M-V 05-3366	M-V 05-3367	M-V 05-3368	M-V 05-3369
M-V 05-3373	M-V 05-3482	M-V 47-3461	NAILA
NATHAN	NEUWAUKUM	NEW ORLEANS	NORTH LAKE
NPK 33-0849	NPK 33-0851	NPK 33-0852	NPK 33-0853
NPK 33-0854	NPK 33-0855	NPK 33-0856	NPK 33-0857
NPK 33-2474	NPK 33-2644	NPK 33-2645	NPK 33-2646
NPK 33-2647	ODONNELL	OLSON	ORCHARD
OSCEOLA	OZ	PAC 30-0885	PAC 30-0886
PAC 30-0887	PAC 30-2856	PANTHER LAKE	PATRICIA
PEGGY	PETROVITSKY	PHOEBE	PIPELINE
PLAINS	PLATO	POCO	PORTAGE
POTLATCH	PTARMIGAN	QUARTERMASTER	RAINIER
RAVENSDALE	RED MILL	REGAL	RENHILL
RIVERSIDE	RNT 11-0962	RNT 11-0966	RNT 11-0967
RNT 11-0970	RNT 11-0971	RNT 11-0973	RNT 11-0975
RNT 11-0978	RNT 11-0979	RNT 11-0980	RNT 11-0981
RNT 11-0984	RNT 11-0985	RNT 11-0986	RNT 11-0988
RNT 11-0990	RNT 11-0992	RNT 11-0996	RNT 11-0997
RNT 11-0998	RNT 11-1002	RNT 11-1004	RNT 11-1006
RNT 11-1008	RNT 11-1012	RNT 11-1015	RNT 11-2472
RNT 11-2581	RNT 11-2582	RNT 11-2607	RNT 11-2739
RNT 11-2815	RNT 11-2844	RNT 11-2845	RNT 11-2854
RNT 11-2976	RNT 11-3223	RNT 11-3359	RNT 11-3431

RNT 37-0965	RNT 37-0969	RNT 37-0982	RNT 37-0991
RNT 37-0999	RNT 37-1000	RNT 37-3154	RNT 41-0964
RNT 41-0983	RNT 41-0989	RNT 41-0993	RNT 41-0994
RNT 41-0995	RNT 41-1007	RNT 41-1010	RNT 41-1011
RNT 41-1017	RNT 41-1018	RNT 41-2475	RNT 41-2583
RNT 41-2816	RNT 41-3162	RNT 41-3224	RNT 41-3287
RNT 41-3311	RNT 41-3404	RNT 41-3438	ROGER
ROSEBURG	ROSEMARY	ROUNDTABLE	ROWAN
RUDELL	RUSH	RUSS	SALMON CREEK
SAWYER	SEALTH	SEAVIEW	SEDGE
SELLECK	SERENE	SERENIDAD	SET 11-3102
SET 11-3107	SET 33-1031	SET 33-3057	SET 33-3058
SET 33-3059	SET 33-3060	SET 33-3061	SET 33-3062
SET 33-3063	SET 33-3064	SET 33-3065	SET 33-3066
SET 33-3068	SET 33-3069	SET 33-3070	SET 33-3071
SET 33-3072	SET 33-3073	SET 33-3074	SET 33-3075
SET 33-3076	SET 33-3081	SET 33-3099	SET 33-3100
SET 33-3101	SET 33-3104	SET 33-3105	SET 33-3111
SET 33-3112	SET 33-3442	SHADOW LAKE	SHAMROCK
SHAWNEE	SHILOH	SIERRA	SKI
SO-HI	SOOS CREEK	SPIDER LAKE	SPRING GLEN
SPRING LAKE	STACY	STAR LAKE	STARR
STEELHEAD	STOCKTON	SUE CITY	SUNNYWOOD
SWEENEY	SYLVAN	TAHLEQUAH	TAHOMA
TANNER	TANYA	THISTLE	THOMAS
THUNDERBIRD	TIMBER	TONY	TOTEM
TOWHEE	TROUT LAKE	TUK 11-1162	TUK 11-1164
TUK 11-1165	TUK 11-1166	TUK 11-1167	TUK 11-2453
TUK 11-2751	TUK 11-2752	TUK 11-2949	TUK 11-2951
TUK 11-2952	TUK 11-2955	TUK 11-2956	TUK 11-3127

TUK 11-3128	TUK 11-3233	TUK 11-3393	TUK 11-3425
TUK 11-3426	TUK 37-2946	TWIN MAPLES	VALENCIA
VASHON	VEAZIE	VICTORY	VINCA
WABASH	WALLACE	WANDA	WAYNE
WESTVIEW	WESTWOOD	WHITE CENTER	WHITE RIVER
WINTERWOOD	WREN	WYNOCHE	WYNONA

D. The boundaries of the east electoral district shall be as follows:

ALDARRA	ALDER SPRINGS	ALDERWOOD	ALLEN
ALPINE	ALTA VISTA	AMES LAKE	AUDREY
AVONDALE	BACUS	BARCLAY	BEA 41-0099
BEAR CREEK	BEL 41-0011	BEL 41-0101	BEL 41-0102
BEL 41-0103	BEL 41-0104	BEL 41-0106	BEL 41-0108
BEL 41-0109	BEL 41-0110	BEL 41-0111	BEL 41-0112
BEL 41-0113	BEL 41-0114	BEL 41-0115	BEL 41-0116
BEL 41-0117	BEL 41-0119	BEL 41-0120	BEL 41-0121
BEL 41-0122	BEL 41-0123	BEL 41-0124	BEL 41-0128
BEL 41-0129	BEL 41-0131	BEL 41-0175	BEL 41-0176
BEL 41-0179	BEL 41-0180	BEL 41-0198	BEL 41-0200
BEL 41-0201	BEL 41-0203	BEL 41-0205	BEL 41-0206
BEL 41-0208	BEL 41-0209	BEL 41-0210	BEL 41-0211
BEL 41-0219	BEL 41-0220	BEL 41-0305	BEL 41-0333
BEL 41-0408	BEL 41-0460	BEL 41-0472	BEL 41-0475
BEL 41-0505	BEL 41-0658	BEL 41-0815	BEL 41-1052
BEL 41-1235	BEL 41-2386	BEL 41-2428	BEL 41-2429
BEL 41-2447	BEL 41-2554	BEL 41-2555	BEL 41-2556
BEL 41-2621	BEL 41-2714	BEL 41-2719	BEL 41-2782
BEL 41-2801	BEL 41-2812	BEL 41-2866	BEL 41-2906
BEL 41-2935	BEL 41-2936	BEL 41-2943	BEL 41-2944
BEL 41-2945	BEL 41-2970	BEL 41-3084	BEL 41-3140
BEL 41-3166	BEL 41-3225	BEL 41-3226	BEL 41-3278

BEL 41-3291	BEL 41-3312	BEL 41-3330	BEL 41-3370
BEL 41-3371	BEL 41-3435	BEL 48-0125	BEL 48-0126
BEL 48-0127	BEL 48-0132	BEL 48-0133	BEL 48-0134
BEL 48-0135	BEL 48-0136	BEL 48-0138	BEL 48-0140
BEL 48-0142	BEL 48-0143	BEL 48-0144	BEL 48-0145
BEL 48-0146	BEL 48-0147	BEL 48-0149	BEL 48-0151
BEL 48-0153	BEL 48-0154	BEL 48-0156	BEL 48-0157
BEL 48-0158	BEL 48-0159	BEL 48-0160	BEL 48-0162
BEL 48-0163	BEL 48-0164	BEL 48-0165	BEL 48-0166
BEL 48-0167	BEL 48-0168	BEL 48-0169	BEL 48-0170
BEL 48-0171	BEL 48-0177	BEL 48-0178	BEL 48-0186
BEL 48-0188	BEL 48-0189	BEL 48-0190	BEL 48-0191
BEL 48-0192	BEL 48-0193	BEL 48-0194	BEL 48-0196
BEL 48-0207	BEL 48-0212	BEL 48-0213	BEL 48-0214
BEL 48-0215	BEL 48-0216	BEL 48-0217	BEL 48-0218
BEL 48-0221	BEL 48-0223	BEL 48-0224	BEL 48-0225
BEL 48-0226	BEL 48-0227	BEL 48-0694	BEL 48-1023
BEL 48-1049	BEL 48-2412	BEL 48-2430	BEL 48-2431
BEL 48-2432	BEL 48-2433	BEL 48-2434	BEL 48-2479
BEL 48-2557	BEL 48-2558	BEL 48-2559	BEL 48-2715
BEL 48-2716	BEL 48-2772	BEL 48-2773	BEL 48-2774
BEL 48-2775	BEL 48-2776	BEL 48-2777	BEL 48-2778
BEL 48-2780	BEL 48-2958	BEL 48-3143	BEL 48-3144
BEL 48-3292	BIG BEND	BOT 01-0252	BOT 01-0253
BOT 01-0254	BOT 01-0255	BOT 01-0256	BOT 01-0257
BOT 01-0258	BOT 01-0259	BOT 01-0260	BOT 01-0261
BOT 01-0262	BOT 01-2473	BOT 01-2495	BOT 01-2676
BOT 01-2865	BOT 01-3271	BOT 01-3321	BOT 01-3398
BOT 01-3399	BOT 32-3419	BOWOOD	BRIDLE TRAILS
BRONSON	BROOKSHIRE	BROOKSIDE	BROOKTRAILS

BUCKNER	BURGUNDY	CAMAS	CAR 45-0290
CAR 45-3290	CARLYLE	CASCADE VIEW	CEDAR
CEDAR SPRINGS	C-H 48-0321	C-H 48-0322	C-H 48-0323
C-H 48-0324	C-H 48-0325	C-H 48-0326	CHALLENGER
CHAMPAGNE	CHATEAU	CHERRY VALLEY	CHURCHILL
CLEVELAND	COLLEEN	COMPTON	COOPER
CORWIN	COTTAGE BEACH	COTTAGE LAKE	COUGAR MTN
COUNTRYSIDE	CUTTHROAT	DENNY PARK	DIANE
DIPPER	DOUGLAS	DUCHESS	DUTHIE HILL
DUV 45-0389	DUV 45-2959	DUV 45-3218	DUV 45-3219
DUV 45-3481	EASTMONT	ELECTRA	ELSIE
ELSOM	ERIN	ERVA	FALL CITY
FARMER	FILLMORE	FIRLOCK	FOX
FREDRICK	GILMAN	GRIZZLY	GROUSE
GROUSEMONT	HAAS	HANSELL	HAPPY VALLEY
HERMOSA	HIDDEN CREST	HILL	HILLTOP
HI-VALLEY	HI-WOODS	HOLIDAY LAKE	HOLLYMORE
HOLLYWOOD	HOLMES POINT	HORIZON	HORSESHOE
HPT 48-0533	HUNTER	HUTCHINSON	ISABELLA
ISS 05-0543	ISS 05-0544	ISS 05-0545	ISS 05-0546
ISS 05-0547	ISS 05-0548	ISS 05-0550	ISS 05-2409
ISS 05-2461	ISS 05-2602	ISS 05-2806	ISS 05-2807
ISS 05-2929	ISS 05-3138	ISS 05-3206	ISS 05-3464
ISS 41-2401	ISS 41-3145	JANE	JAY
JEAN	JUANITA CREST	KAMIAKIN	KEZELE
KINGLET	KINGSGATE	KINGSGATE RIDGE	KINGSWOOD
KIR 32-3422	KIR 45-0616	KIR 45-0618	KIR 45-0619
KIR 45-0620	KIR 45-0622	KIR 45-0623	KIR 45-0624
KIR 45-0627	KIR 45-0629	KIR 45-0630	KIR 45-0631
KIR 45-0632	KIR 45-0633	KIR 45-2571	KIR 45-2730

KIR 45-2731	KIR 45-2786	KIR 45-2910	KIR 45-2911
KIR 45-2912	KIR 45-2913	KIR 45-2914	KIR 45-2915
KIR 45-2916	KIR 45-2917	KIR 45-2918	KIR 45-2923
KIR 45-2924	KIR 45-2930	KIR 45-2931	KIR 45-2932
KIR 45-2933	KIR 45-2934	KIR 45-2962	KIR 45-3109
KIR 45-3196	KIR 45-3198	KIR 45-3199	KIR 45-3200
KIR 45-3397	KIR 48-0614	KIR 48-0615	KIR 48-0628
KIR 48-0636	KIR 48-0638	KIR 48-0639	KIR 48-0640
KIR 48-0641	KIR 48-0642	KIR 48-0643	KIR 48-0644
KIR 48-0645	KIR 48-0646	KIR 48-2598	KIR 48-2657
KIR 48-2788	KIR 48-2863	KIR 48-2919	KIR 48-2920
KIR 48-2921	KIR 48-2922	KIR 48-2925	KIR 48-3337
KIR 48-3401	KIR 48-3439	KLAHANIE	KMR 32-0036
KMR 32-0340	KMR 32-0473	KMR 32-0501	KMR 32-0535
KMR 32-0572	KMR 32-0573	KMR 32-0677	KMR 32-0686
KMR 32-0689	KMR 32-0695	KMR 32-0696	KMR 32-0820
KMR 32-1095	KMR 32-1147	KMR 32-1171	KMR 32-1181
KMR 32-2444	KMR 32-2462	KMR 32-2754	KMR 32-2764
KMR 32-2765	KMR 32-2766	KMR 32-2771	KMR 32-3148
LAKE ALICE	LAKE JOY	LAKE LEOTA	LAKE PARK
LAKEDGE	LAWRENCE	LFP 32-0003	LFP 32-0092
LFP 32-0309	LFP 32-0397	LFP 32-0400	LFP 32-0517
LFP 32-0650	LFP 32-0652	LFP 32-0653	LFP 32-0654
LFP 32-0655	LFP 32-0734	LFP 32-1056	LFP 32-1075
LFP 32-1089	LFP 32-1143	LFP 32-1186	LFP 32-1237
LFP 32-2439	LFP 32-2763	LFP 32-3380	LORA
LYNX	MABEL	MARCEL	MARGERY
MARGO	MARTHA	MARYMOOR	MATTHEW
MEADOW	MEADOWBROOK	MEANDER	MED 48-0745
MED 48-0746	MED 48-0747	MED 48-0748	MED 48-0749

(King County 6-2003)  
JUSTICE COURT DISTRICT PLAN

2.68.085

MED 48-0750	MED 48-0751	MED 48-0752	MERLOT
M-I 41-0755	M-I 41-0756	M-I 41-0757	M-I 41-0758
M-I 41-0759	M-I 41-0761	M-I 41-0762	M-I 41-0763
M-I 41-0765	M-I 41-0766	M-I 41-0767	M-I 41-0768
M-I 41-0769	M-I 41-0770	M-I 41-0771	M-I 41-0772
M-I 41-0773	M-I 41-0774	M-I 41-0775	M-I 41-0776
M-I 41-0777	M-I 41-0778	M-I 41-0779	M-I 41-0780
M-I 41-0781	M-I 41-0782	M-I 41-0783	M-I 41-0784
M-I 41-0785	M-I 41-0786	M-I 41-0787	M-I 41-0788
M-I 41-0789	M-I 41-0790	M-I 41-0791	M-I 41-0792
M-I 41-0793	M-I 41-0794	M-I 41-0795	M-I 41-0796
M-I 41-0797	M-I 41-2445	M-I 41-2465	M-I 41-2691
M-I 41-2808	M-I 41-2809	MICHAEL	MIDDLE FORK
MILLIKIN	MINK ROAD	MIRRORMONT	MOUNT CLARE
MOUNT SI	MYSTIC	NAPOLEON	N-B 05-0858
N-B 05-0859	N-B 05-2683	N-B 05-3296	N-B 05-3406
N-B 05-3407	NEW 41-0248	NEW 41-0840	NEW 41-0878
NEW 41-1115	NEW 41-2811	NEW 41-3227	NEW 41-3228
NEW 41-3241	NEW 41-3261	NORWAY HILL	NOVELTY
NURMI	OVERDALE	PATTERSON	PORT
POWELL	PRESTON	PROVAN	QUAIL
QUEENSGATE	RAGING RIVER	RAMONA	RANCH
RATTLESNAKE	RED 45-0936	RED 45-2410	RED 45-2492
RED 45-2580	RED 45-2638	RED 45-2643	RED 45-2659
RED 45-3281	RED 45-3282	RED 45-3315	RED 48-0934
RED 48-0935	RED 48-0937	RED 48-0938	RED 48-0939
RED 48-0940	RED 48-0941	RED 48-0942	RED 48-0944
RED 48-0945	RED 48-0946	RED 48-0947	RED 48-0948
RED 48-0949	RED 48-0950	RED 48-0951	RED 48-0952

RED 48-0953	RED 48-2448	RED 48-2449	RED 48-2466
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2.68.085

(King County 6-2003)  
ADMINISTRATION

RED 48-2467	RED 48-2628	RED 48-2629	RED 48-2630
RED 48-2632	RED 48-2633	RED 48-2634	RED 48-2635
RED 48-2636	RED 48-2639	RED 48-2640	RED 48-2641
RED 48-2642	RED 48-2789	RED 48-2790	RED 48-2966
RED 48-2967	RED 48-2968	RED 48-2969	RED 48-3134
RED 48-3147	RED 48-3208	RED 48-3209	RED 48-3313
RED 48-3314	RED 48-3316	RED 48-3390	RED 48-3391
RED 48-3415	RED 48-3475	REINTREE	REXGATE
RIDGE	RING HILL	RIVERBEND	ROANOKE
ROSE	RYAN	SALAL	SALISH
SAM 05-0100	SAM 05-0307	SAM 05-0536	SAM 05-0816
SAM 05-0909	SAM 05-1130	SAM 05-2469	SAM 05-2491
SAM 05-2564	SAM 05-2575	SAM 05-2690	SAM 05-2693
SAM 05-2726	SAM 05-2813	SAM 05-2937	SAM 05-2940
SAM 05-2942	SAM 05-2961	SAM 05-2973	SAM 05-3213
SAM 05-3214	SAM 05-3215	SAM 05-3216	SAM 05-3217
SAM 05-3293	SAM 05-3298	SAM 05-3384	SAM 05-3385
SAM 05-3386	SAM 05-3388	SAM 05-3412	SAM 05-3452
SAM 05-3453	SAM 05-3454	SAM 45-2450	SAM 45-2620
SAM 45-2684	SAM 45-2791	SAM 45-2963	SAM 45-2965
SAM 45-3387	SAM 45-3389	SARAH	SEAN
SHANGRI-LA	SHARON	SHEFFIELD	SHERRI
SHL 32-0001	SHL 32-0012	SHL 32-0024	SHL 32-0038
SHL 32-0088	SHL 32-0232	SHL 32-0241	SHL 32-0267
SHL 32-0274	SHL 32-0277	SHL 32-0296	SHL 32-0319
SHL 32-0335	SHL 32-0346	SHL 32-0357	SHL 32-0368
SHL 32-0378	SHL 32-0396	SHL 32-0401	SHL 32-0407
SHL 32-0423	SHL 32-0424	SHL 32-0444	SHL 32-0454



SHL 32-0462	SHL 32-0470	SHL 32-0474	SHL 32-0486
SHL 32-0488	SHL 32-0494	SHL 32-0499	SHL 32-0510

(King County 6-2003)  
JUSTICE COURT DISTRICT PLAN

2.68.085

SHL 32-0514	SHL 32-0519	SHL 32-0527	SHL 32-0530
SHL 32-0537	SHL 32-0538	SHL 32-0558	SHL 32-0559
SHL 32-0605	SHL 32-0606	SHL 32-0609	SHL 32-0648
SHL 32-0665	SHL 32-0692	SHL 32-0711	SHL 32-0735
SHL 32-0754	SHL 32-0802	SHL 32-0819	SHL 32-0832
SHL 32-0844	SHL 32-0861	SHL 32-0866	SHL 32-0875
SHL 32-0888	SHL 32-0895	SHL 32-0897	SHL 32-0898
SHL 32-0903	SHL 32-0914	SHL 32-0917	SHL 32-0920
SHL 32-0921	SHL 32-1020	SHL 32-1021	SHL 32-1030
SHL 32-1038	SHL 32-1053	SHL 32-1077	SHL 32-1080
SHL 32-1101	SHL 32-1106	SHL 32-1140	SHL 32-1158
SHL 32-1168	SHL 32-1178	SHL 32-1197	SHL 32-1209
SHL 32-1210	SHL 32-1228	SHL 32-1236	SHL 32-2552
SHL 32-2712	SHL 32-2753	SHL 32-3363	SI VIEW
SILVER SPURS	SIMONDS	SKY 39-1091	SKY MOUNTAIN
SNO PASS	SNO VALLEY	SNQ 05-1097	SNQ 05-3151
SNQ 05-3409	SPRINKLE	SQUAK MOUNTAIN	STEVENS
STILLWATER	SWAN LAKE	SYRAH	THRUSH
TIGER MTN	TIMBERWOOD	TOLT	TRILLIUM
TWIN FALLS	TWIN PEAKS	TWO RIVERS	UNION HILL
VICTOR	VINCENT	VIOLET	VIVIAN
WAXWING	WEEKS	WESBO	WEST HILL
WESTLAKE	WINDSOR	WINTERGREEN	WOD 45-0676
WOD 45-0926	WOD 45-1205	WOD 45-1225	WOD 45-2597
WOD 45-2680	WOD 45-2734	WOD 45-2769	WOD 45-3192
WOD 45-3193	WOD 45-3270	WOLF	WOODLANDS
YPT 48-1233	YPT 48-1234		

(Ord. 14679 § 1, 2003: Ord. 14374 § 12, 2002: Ord. 14374 § 8, 2002: Ord. 13878 § 1, 2000: Ord. 13213 § 1, 1998: Ord. 12447 § 1, 1996: Ord. 11041 § 3, 1993: Ord. 10476 § 2, 1992).

2.69.010 - 2.70.020

(King County 6-2003)  
ADMINISTRATION

## **Chapter 2.69 SUPERIOR COURT OF KING COUNTY**

### **Sections:**

- 2.69.010 Location of court sessions.
- 2.69.020 Eastside location.
- 2.69.030 Mutual agreement for other locations.

**2.69.010 Location of court sessions. - General Approval.** Pursuant to the authority granted by general law and subject to the approval of the Supreme Court of the State of Washington, the holding of regular and special sessions of the superior court of King County at such places within the county other than the county seat as may be mutually agreed upon by the council and the judges of the superior court is approved. (Ord. 8698 § 1, 1988).

**2.69.020 Eastside location.** The action by the superior court to establish an eastside facility collocated with the Bellevue district court, is considered mutually agreed upon and the assignment of superior court judges and commissioners to hold sessions at said facility is approved. (Ord. 8698 § 2, 1988).

### **2.69.030 Mutual agreement for other locations.**

A. Mutual agreement on the specific location for holding court sessions other than at the county seat and the approved eastside facility in Bellevue shall be arrived at by a memorandum proposal for the location by the presiding judge of the superior court addressed to the chair of the county council, and an endorsement of the proposal by a motion of the council. Such action shall constitute approval of the specific location.

B. The actual operation of the court in holding sessions at an approved location other than the county seat shall be subject to the availability of funds within the superior court budget. (Ord. 8698 § 3, 1988).

## **Chapter 2.70 DISTRICT COURT - MERIT SELECTION PROCESS**

### **Sections:**

- 2.70.010 Establishment.
- 2.70.020 Process.

**2.70.010 Establishment.** There is hereby established a merit selection process to fill judicial vacancies occurring in District Court in King County pursuant to the King County council's responsibilities under R.C.W. 3.34.100. The council desires a fair and open process which will insure the council shall select and appoint individuals of the highest quality. (Ord. 8350 § 1, 1987).

### **2.70.020 Process.** The process to fill district court judicial vacancies shall be as follows:

A. Notice of existing or scheduled vacancies shall be advertised by the clerk of the council twice in the official county newspaper and in a newspaper of general circulation within the district. Notice of the vacancy shall also be sent to the Seattle-King County Bar Association (SKCBA), East King County Bar Association, South King County Bar Association, Washington Women Lawyers, Loren Miller Bar Association, National Conference of Black Lawyers (Northwest Chapter), Asian Law Association and other interested groups.

B. Names of individuals wishing consideration for appointment shall be submitted to the clerk of the council or directly to any of the bar associations listed in subsection 2.70.020 A. which shall review and evaluate the candidates.

(King County 6-2003)

DISTRICT COURT - MERIT SELECTION PROCESS

2.70.020 - 2.72.030

C. Any other bar group with an established judicial candidate evaluation procedure may also review and evaluate the candidates. A group with an established judicial candidate evaluation procedure shall mean a bar association group:

1. With evaluation procedures open to any candidate,
2. Which has written by-laws governing its evaluation process,
3. Which has written criteria upon which the candidates are to be judged which shall be made available to the public, the council and candidates, and
4. Which has been actively evaluating judicial candidates for at least two years.

D. SKCBA shall refer to the council the names of candidates receiving the highest rating. The list shall contain no less than three names. Any other group with an established judicial candidate evaluation procedure, as defined in subsection 2.70.020 C., shall provide to SKCBA a list of the names of candidates given its highest rating. SKCBA shall note on the list referred to the council any disagreements on the respective lists by indicating names on their own list not included on the list(s) of the other evaluating committee(s) and adding names not included on the SKCBA list with the name of the group which provided the rating.

E. The committee-of-the-whole shall review the candidates and interview the final candidates and make recommendation to the council.

F. The final appointment shall be made by the council by motion from the candidates referred by the evaluation committees. (Ord. 8350 § 2, 1987).

## Chapter 2.72 COUNTY PRISONERS

**Sections:**

- 2.72.010 Working of prisoners.
- 2.72.020 Employment of prisoners.
- 2.72.030 Contracts.

**2.72.010 Working of prisoners.** In accordance with RCW 9.92.140 the county sheriff shall put to labor the prisoners confined in the county jail. (Ordered February 8, 1884).

**2.72.020 Employment of prisoners.** The board of county commissioners finds that, on the basis of employment conditions, the state of the county jail facilities and other pertinent circumstances, the operation of Section 11 of Chapter 171 of the Session Laws of 1961 (RCW 36.63.260) of the state of Washington is feasible in King County beginning June 1, 1964. (Res. 27929 (part), 1964).

**2.72.030 Contracts.** The King County executive may enter into contracts with municipalities within King County for use of their respective facilities in compliance with K.C.C. 2.72.020 for prisoners sentenced by King County courts. (Ord. 1267 § 1, 1972).

## Chapter 2.73 RECOVERY OF INCARCERATION COSTS

### Sections:

- 2.73.010 Purpose.
- 2.73.020 Policy.
- 2.73.030 Comprehensive study.
- 2.73.040 Expiration.
- 2.73.050 Work, education and release and electronic home detention fees.

**2.73.010 Purpose.** For the purposes of this chapter, incarceration costs shall include any cost to King County that results from (1) incarcerating an individual in any county facility, including but not limited to a special detention facility or correctional facility; (2) an individual's participation in a community correction program; or (3) the provision of medical or dental services by the jail health services section. (Ord. 12715 § 1 (part), 1997).

**2.73.020 Policy. Recovery of Incarceration Costs.** It shall be the policy of the county to recover the costs of incarcerating inmates to the full extent possible under state law. This policy is intended to guide all county agencies which are involved in the criminal justice system. The intent is to help offset the high cost to the citizens of King County of providing local incarceration facilities and programs. It is not the intent to neglect, or in any way circumvent, the protections provided under state law to an individual who a court has determined is or will be unable to pay costs.

Enactment of this policy shall include, but not be limited to, the following:

A. **Special Detention Facilities.** Any out-of-custody person who is court-ordered to serve a 24 to 48 hour sentence at a county special detention facility shall be assessed fees to cover their housing costs pursuant to RCW 70.48.210 (4), and RCW 70.48.380. The executive shall prepare a fee schedule based on ability to pay and shall present this schedule by ordinance for council review and approval.

B. **Community Corrections Programs.** Any individual sentenced to a county community correction program shall be assessed fees to cover the cost of their participation as permitted under RCW 70.48.210. The executive shall prepare a fee schedule based on ability to pay and shall present this schedule by ordinance for council review and approval. Such community correction programs shall include, but not be limited to, work release and electronic home detention.

C. **Medical and Dental Service Costs.** The county shall mitigate the cost of medical and dental service provided by the jail health services section by maximizing third party reimbursement and by, wherever applicable, assessing fees of inmates for medical or dental services. The executive shall prepare a fee schedule based on ability to pay and shall present this schedule by ordinance for council review and approval.

Under no circumstance shall necessary medical services be denied or delayed because of disputes over fees for medical care or ability to pay. (Ord. 12715 § 1 (part), 1997).

**2.73.030 Comprehensive study.** King County and other local governments participating in the Regional Law, Safety and Justice Committee desire to better understand the factors which contribute to the growing jail population and associated costs. Therefore, a comprehensive study and assessment of the jail misdemeanor population was jointly funded by King County, Washington State, Seattle and the Suburban Cities Association, and initiated by council adoption of Ordinance 12474. The misdemeanor study will focus on identifying inefficiencies and recommending strategies to better manage jail capacity and the efficient use of criminal justice resources, and will emphasize those inmates jailed for Failure to Appear (FTA) and Failure

to Comply (FTC). The misdemeanor study will be managed by the office of budget and strategic planning through an inter-jurisdictional oversight committee. The final report, to be completed by October 1997, will be issued to the Regional Law, Safety and Justice Committee and the King County council. The county auditor's office shall review the methodology, conclusions, and recommendations in the misdemeanor population report.

(King County 12-2002)

RECOVERY OF INCARCERATION COSTS

2.73.030 - 2.73.040

As a second phase of the study of the jail's population, the office of budget and strategic planning and the county auditor's office shall develop a scope of work for a comprehensive assessment of the pre- and post-trial jail felon population that includes the prosecutor and the courts. The county executive shall transmit the scope of work, schedule and an appropriation ordinance funding the study to the council by July 15, 1997. The study shall examine the nature of offenses resulting in jail time and shall review issues which affect the size of the jail population and duration of jail stay, including, but not limited to, length of time convicted felons remain in jail prior to transfer to the department of corrections. The study shall recommend to the county council and the executive specific strategies and alternatives which provide the best opportunity for reducing the jail population and related costs. The county auditor's office shall review the methodology, conclusions, and recommendations in the felon population report prior to presentation to the council. (Ord. 12715 § 2, 1997).

**2.73.040 Expiration.** No later than February 1, 2000, the county council shall analyze the results of Ordinance 12715, and prior to May 1, 2000, shall reenact this chapter, with or without modifications. Unless reenacted by a vote of the county council, Ordinance 12715 shall expire on May 1, 2000. (Ord. 12715 § 3, 1997).

2.73.050

(King County 12-2002)  
ADMINISTRATION

**2.73.050 Work education release and electronic home detention fees.**

A. The following fee schedule for the community corrections programs including work, education and release and electronic home detention program are hereby adopted:

WAGES PER HOUR		DAILY ROOM AND BOARD RATE
From	To	
\$0.00	\$4.99	\$8.10
\$5.00	\$5.49	\$9.00
\$5.50	\$5.99	\$9.90
\$6.00	\$6.49	\$10.80
\$6.50	\$6.99	\$11.70
\$7.00	\$7.49	\$12.60
\$7.50	\$7.99	\$13.50
\$8.00	\$8.49	\$14.40
\$8.50	\$8.99	\$15.30
\$9.00	\$9.49	\$16.20
\$9.50	\$9.99	\$17.10
\$10.00	\$10.49	\$18.00
\$10.50	\$10.99	\$18.90
\$11.00	\$11.49	\$19.80
\$11.50	\$11.99	\$20.70
\$12.00	\$12.49	\$21.60
\$12.50	\$12.99	\$22.55
\$13.00	\$13.49	\$23.45
\$13.50	\$13.99	\$24.35
\$14.00	\$14.49	\$25.25
\$14.50	\$14.99	\$26.15
\$15.00	\$15.49	\$27.05
\$15.50	\$15.99	\$27.95
\$16.00	\$16.49	\$28.85
\$16.50	\$16.99	\$29.75
\$17.00	\$17.49	\$30.65
\$17.50	\$17.99	\$31.55
\$18.00	\$18.49	\$32.45
\$18.50	\$18.99	\$33.35
\$19.00	\$19.49	\$34.25
\$19.50	\$19.99	\$35.15
\$20.00	\$22.49	\$36.05
\$22.50	\$24.49	\$40.55
\$25.00	\$27.49	\$45.05
\$27.50	\$29.99	\$49.55
\$30.00	\$32.49	\$54.05
\$32.50	\$34.99	\$58.55
\$35.00	\$37.49	\$63.05
\$37.50	up	\$ net maintenance fee

1. Program participants engaged in job search pay seven dollars fifty cents per day, except for in-custody community corrections program eligible inmates who pay four dollars per day for the first two weeks, then seven dollars fifty cents per day thereafter. Inmates who were previously employed, became unemployed while on the program and are placed in a job search category pay seven dollars fifty cents per day.

(King County 12-2002)

RECOVERY OF INCARCERATION COSTS

2.73.050

2. Program participants enrolled in educational programs pay three dollars per day for high school and GED programs and eight dollars per day while enrolled in college classes, trade or technical schools.

3. Program participants who receive outside treatment pay seven dollars per day.

4. Out-of-county program participants shall be charged the same daily rate as charged to contracting agencies.

5. Should the net maintenance fee be lower than the daily room and board rate the net maintenance fee shall be the amount charged.

B. Jail health services. Incarcerated individuals pay a five-dollar copayment for medical care when they are seen by a nurse or dental staff in response to a request for medical or dental services. The fee-for-service program is based upon the principle that access to health care will be available to all inmates regardless of their ability to pay.

C. Special detention facility twenty-four- and forty-eight-hour commitments. The following fee schedule shall apply for special detention facility twenty-four- and forty-eight-hour commitments:

A person who is housed at the north rehabilitation facility pursuant to a court-ordered twenty-four- to forty-eight-hour hour commitment upon a conviction of violating RCW 46.61.502 or SMC 11.56.02000 or upon a conviction of violating RCW 46.61.504 or SMC 11.56.02008, shall pay a daily housing fee. The daily housing fee for each twenty-four hours of commitment shall be the net maintenance fee, adjusted according to the following sliding scale based on the United States Community Services Administration (CSA) Poverty Guidelines, as adjusted for family size.

Gross Income as a percentage of CSA Poverty Guidelines	Percentage of net maintenance fee to be paid
Equal or less than 125%	10%
126% to 137%	20%
138% to 150%	35%
151% to 162%	50%
163% to 175%	65%
176% to 187%	80%
Over 188%	100%

D. "Net maintenance fee" shall mean the fee that is calculated and established annually by the department of adult detention according to the formula contained in contract for jail services between the county and the cities in King County. The department shall promptly file a statement of the fee with the clerk of the council. (Ord. 13333 § 2, 1998: Ord. 12917 § 1, 1997).

2.80.010 - 2.80.050

(King County 12-2002)  
ADMINISTRATION

**Chapter 2.80**  
**GIFTS, BEQUESTS AND DONATIONS**  
**TO COUNTY**

**Sections:**

- 2.80.010 Gifts, bequests and donations accepted.
- 2.80.020 Financial gifts credited to trust and contribution fund.
- 2.80.030 Expenditures to fall within grantor's terms.
- 2.80.040 Interest from gifts deposited in current expense fund.
- 2.80.050 Administrative costs for handling small gifts not to exceed benefit.
- 2.80.060 Exemption – gifts, bequests or donations for parks and recreation purposes.

**2.80.010 Gifts, bequests and donations accepted.** Gifts, bequests and donations shall be accepted on behalf of King County by motion of the county council. (Ord. 1168 § 1, 1972).

**2.80.020 Financial gifts credited to trust and contribution fund.** All gifts, bequests and donations of financial assets to the county for purposes specified by the grantor shall be deposited and credited to a trust and contribution fund to be hereafter created by the department of finance. Each such gift, bequest or donation to the county for such a specified purpose shall be accounted for individually within this trust and contribution fund until such time as it has been fully expended. (Ord. 12075 § 19, 1995).

**2.80.030 Expenditures to fall within grantor's terms.** After acceptance by the council of a gift, bequest or donation for a specified purpose which is therefore deposited in the trust and contribution fund, it shall be the responsibility of the executive or his designee to assure that expenditures from the bequest, gift or donation are appropriate within the terms of the grantor. It shall, therefore, not be necessary that the restricted gift, bequest or donation be appropriated in order to authorize expenditure once the gift, bequest or donation has been accepted by the council; however, when a gift, bequest or donation is of sufficient size or particular importance, the council may incorporate it by appropriation into the capital improvement program or other appropriate fund in which case annual reappropriation will be necessary. (Ord. 1168 § 3, 1972).

**2.80.040 Interest from gifts deposited in current expense fund.** Except as otherwise specified by the grantor, interest earned from investment of gifts, bequests and donations shall be deposited in the current expense fund. (Ord. 1168 § 4, 1972).

**2.80.050 Administrative costs for handling small gifts not to exceed benefit.** Small gifts, bequests and donations should be used for an appropriate purpose within a year so that the cost of their handling does not exceed the benefit of their use. (Ord. 1168 § 5, 1972).

**2.80.060 Exemption – gifts, bequests or donations for parks and recreation purposes.** This chapter does not apply to gifts, bequests or donations, of under fifty thousand dollars, received for parks and recreation purposes. (Ord. 14509 § 25, 2002).



(King County 12-2002)

INTERNATIONAL TRADE EXPANSION AND ECONOMIC DEVELOPMENT

2.84.010 - 2.84.040

## **Chapter 2.84**

### **INTERNATIONAL TRADE EXPANSION AND ECONOMIC DEVELOPMENT**

#### **Sections:**

- 2.84.010 Phased implementation and program description.
- 2.84.020 Policy.
- 2.84.030 Program management and contracts.
- 2.84.040 Definitions.
- 2.84.050 Initial goals.
- 2.84.060 Phase I initiative adopted.
- 2.84.190 Oversight board and board work plan.
- 2.84.200 Severability.

#### **2.84.010 Phased implementation and program description.**

A. In an effort to become more competitive on a global scale, King County will implement policy initiatives in several phases to create conditions further developing its economy, while preserving and maintaining a quality environment, through trade expansion (Phase I), infrastructure improvement (Phase II), human resource management (Phase III), utilization of technology (Phase IV); manufacturing growth and retention (Phase V), regulatory reform (Phase VI), and a regional funding strategy (Phase VII).

B. Program description. The county intends to accomplish the purposes of this chapter in partnership with an agency or agencies presently collaborating with both the public and private sectors to promote the trade interest of this region in domestic and international markets. (Ord. 12468 §§ 1, 7, 1996).

**2.84.020 Policy.** It is the policy of King County as the regional government to provide leadership necessary to provide increased opportunities for international trade and related economic development for the benefit of the people and businesses in smaller cities and unincorporated communities throughout urban and rural areas in the county. This applies particularly to midsize and small businesses, engaged in or desiring to be engaged in international exporting, joint venture partnerships, technology transfer, niche marketing and related local job creation. This initiative addresses two issues related to trade expansion: first, it is concerned with providing greater efficiency, productivity and organizational purpose among the various county-managed trade-related activities; second, the initiative is intended to assist businesses located in the county to access markets in an increasingly complex international economy. The county further intends its expanded trade initiative to be complimentary not duplicative of existing trade and economic development activities in the region. Consistent with this effort, the county intends to continue promotion of reciprocal cultural, professional and trade exchanges, including "sister county" relationships which can help to launch trade and economic development opportunities between newly identified businesses abroad and local companies. It is the policy of the county to measure the accomplishment of purposes of this chapter, in part, by means of public performance criteria by which it will be held accountable. (Ord. 12468 § 5, 1996).

#### **2.84.030 Program management and contracts.**

A. The King County International Airport is designated as the advocate and lead agency to implement the county's international trade expansion and related economic goals through management of contracts with the appropriate agencies.

B. Executive authorized to sign contracts. The executive is authorized to negotiate and sign contracts to achieve the purposes of this chapter consistent with K.C.C. 4.16. (Ord. 12468 §§ 6, 11, 1996).

**2.84.040 Definitions.** The following definitions shall apply in interpretation and implementation of this chapter:

A. "Globally competitive community" means a jurisdiction that puts export-driven manufacturing and manufacturing-related economic activity in such areas as the services sector at the core of its economic growth and development to maximize the quality of life for its citizens. For the purposes of this chapter the term "services" means high technology (biotechnology, research, communications, electronic, computers and software), agricultural and wood products, as well as health services and professional services (financial, legal, accounting, education, business advice and environmental).

2.84.040 - 2.84.190

(King County 12-2002)  
ADMINISTRATION

B. "International trade" refers to federally defined 'wholesale trade' which includes businesses primarily engaged in selling merchandise to retailers, or to contractors, or to professional business users, or to other wholesalers, or to agents or brokers with chief functions that include re-packaging bulk goods and delivery. For the purposes of this chapter, this definition shall also include exports; marine port and air cargo activity; investment and tourism.

C. "Small business" means companies and businesses with up to fifty employees.

D. "Midsize business" means companies and businesses with between fifty and five hundred employees.

E. "Niche market" means a narrow segment of a larger market category.

F. "Technology transfer" means the transfer of research and development efforts for the purpose of commercialization.

G. "Foreign or 'free' trade zones (FTZs)" are legally outside a nation's customs territory and are operated as public utilities by state and/or local jurisdictions, or corporations. They are designated by the Foreign Trade Zone Board of the U.S. Department of Commerce and operate under the supervision of the U.S. Customs Service. FTZs serve to attract and promote international trade and commerce which allow imported goods to be admitted into a designated FTZ without payment of customs duties or specific government taxes, or without general U.S. quota restrictions which are very limited. (Ord. 12468 § 3, 1996).

**2.84.050 Initial goals.** The initial goals of the international trade expansion and economic development initiative shall be as follows:

A. Enhance and expand the global trade and business development activities for local small and midsize businesses, chambers of commerce, and cities/unincorporated areas in the county in coordination with the King County International Airport;

B. Manage the county's "sister county" program—ultimately expanding it to seven of the major emerging global market regions including Africa (e.g. the Southern Africa economic consortium), Asia (Pacific Rim countries including Taiwan, Korea and the Philippines), Canada, India, Israel, Mexico and South America (e.g. Argentina, Chile and Peru);

C. Support trade exchanges in conjunction with the "sister county" program, local chambers of commerce local communities;

D. Research local markets (for example, provide local company profiles to verify the stability of potential business ventures abroad);

E. Recommend training for local businesses concerning accessing international markets through local chambers of commerce and use of the King County International Airport for trade development. This could include matching local businesses with businesses in various foreign countries;

F. Identify in cooperation with the county's agricultural program "niche markets" for locally farmed products and recycled materials to sell abroad;

G. Collaborate with trade and economic development organizations to facilitate business development activities following outbound and/or inbound trade missions;

H. Identify fields for potential "technology transfer" and match with local research;

I. Explore ways of providing direct communication between local businesses in King County and potential international trade partners through technology;

J. Facilitate exchange of "best practices" between local governments, special purpose districts and school districts with entities providing comparable services in foreign countries. (Ord. 12468 § 8, 1996).

**2.84.060 Phase I initiative adopted.** The Metropolitan King County International Trade Expansion and Economic Development Initiative is hereby adopted. (Ord. 12468 § 2, 1996).

**2.84.190 Oversight board and board work plan.**

A. There is created an international trade expansion and economic development initiative oversight board, referred to in this chapter as the "board," staffed and supported by the executive through the manager of the King County International Airport.

B. The purpose of the board shall be to provide oversight, advice and assistance to the executive and council with respect to the international trade expansion and economic development initiative, including, but not limited to, the following;

(King County 12-2002)

INTERNATIONAL TRADE EXPANSION AND ECONOMIC DEVELOPMENT

2.84.190 - 2.84.200

1. Conduct an analysis of the region's economy to determine components related to King County's global competitiveness;

2. Prepare an inventory of the state and region's trade-related organizations to determine functions and goals in order to avoid duplicating the inventory;

3. Develop and adopt in cooperation with the executive an annual business plan to guide the activities of the initiative;

4. Promote, foster and publicize the sister county program as appropriate;

5. Advise the executive and council with regard to visits to the county by foreign guests and assist in hosting of events for such guests as directed by the county;

6. Provide oversight to the county regarding contracts executed to implement the purposes of this chapter;

7. Adopt measures to gauge the performance of contractors;

8. Foster and promote international relations and advise and make recommendations to the council and executive on participation in such international relations and programs;

9. Report to the council and executive on an annual basis on progress addressing goals listed in K.C.C. 2.84.050;

10. Coordinate with other county programs and activities that perform functions related to international trade and economic development including, but not limited to, the King County library system, the cultural development authority of King County created under K.C.C. chapter 2.49, the agriculture commission and cooperative extension; and

11. Perform such other functions and advise the county on such other international trade, economic development and related matters as the county may request.

C. The board shall consist of sixteen voting members and three nonvoting members appointed by the executive and confirmed by the council. Board members shall serve terms of three years as specified in K.C.C. 2.28. The initial terms of board members shall be governed by K.C.C. chapter 2.28.

D. The composition of the board shall be as follows:

1.a. three members from chambers of commerce and commercial clubs located in suburban, rural and unincorporated communities in King County;

b. two members representing technical or community colleges which have established international programs;

c. three representatives of small to midsize businesses in King County;

d. one at-large citizen representative residing in unincorporated King County;

e. one at-large representative for the export and import business sector;

f. one person who is the head of the Washington State Department of Community, Trade and Economic Development or the Governor's Special Trade Representative, or his or her designee;

g. one representative from the United States Department of Commerce;

h. one representative from the wholesale trade and distribution business sector;

i. one representative from the Port of Seattle; and

j. two representatives from the King County Labor Council; and

2. The three nonvoting members, who shall be: the manager or designee of King County International Airport; the county council chair or designee; and the county executive or designee.

E. The board shall adopt bylaws to govern its operations.

F. The board shall meet at least quarterly.

G. Board members shall not receive compensation except for reimbursement for actual expenses as authorized by the executive.

H. The board shall develop and recommend to the executive and council, within six months of confirmation of a majority of its members by the council, a work plan, performance objectives and first annual budget for accomplishing the program and goals described in K.C.C. 2.84.010B and 2.84.050. (Ord. 14482 § 49, 2002: Ord. 12468 §§ 9, 10, 1996).

**2.84.200 Severability.** Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 12468 § 12, 1996).

2.88.010 - 2.88.030

(King County 12-2002)  
ADMINISTRATION

## **Chapter 2.88 HOUSING AUTHORITY - FEDERALLY ASSISTED PROGRAMS**

### **Sections:**

- 2.88.010 Agency designated.
- 2.88.015 Appointments.
- 2.88.020 Collection and dissemination of information.
- 2.88.030 Transmittal of information to county departments.

**2.88.010 Agency designated.** The housing authority of the county of King, a public corporation, is designated as the official office or agency in King County to collect and disseminate information concerning federally assisted housing programs. (Ord. 1320 § 1, 1972).

### **2.88.015 Appointments.**

A. At least one person appointed to the board of commissioners of the King County housing authority shall be a person who is directly assisted by the public housing authority.

B. No person shall be appointed to the board for more than two successive terms. Filling the unexpired portion of a term counts toward the two-term limit. (Ord. 14068 § 1, 2001: Ord. 12155 §§ 1,2, 1995).

**2.88.020 Collection and dissemination of information.** The housing authority shall obtain, assemble, correlate and disseminate information concerning such programs and legislation or proposed legislation affecting such programs to officers and agencies in King County concerned therewith. (Ord. 1320 § 2, 1972).

**2.88.030 Transmittal of information to county departments.** The housing authority in compliance with this chapter shall obtain, assemble, correlate and transmit to the county council, county executive and executive departments and offices all information concerning federal programs and needs in King County for federal assistance and participation in the administration of federally assisted housing programs in King County. (Ord. 1320 § 3, 1972).

**Chapter 2.92  
SAFETY AND WORKER'S  
COMPENSATION PROGRAM**

**Sections:**

- 2.92.020 Scope of Program.
- 2.92.030 Duties.

**2.92.020 Scope of Program.** The scope of the safety and worker's compensation program shall include the following functions:

A. Develop and administer a management-employee participating safety program congruous to the Washington State Industrial Safety and Health Act designed to reduce or eliminate accidents, personal injuries or damage to property;

B. Establish and maintain a motor vehicle fleet safety program, accident reporting process and a review board procedure within all departments;

C. Administer the county self-insured worker's compensation insurance system within the rules, regulations and procedures as established by the Legislature and the Department of Labor and Industries of the state of Washington;

D. Provide all technical safety support pursuant thereto. (Ord. 6172 § 2, 1982; Ord. 1720 § 2, 1973).

**2.92.030 Duties.** The director of the office of human resources management shall at a minimum:

A. Investigate or supervise the investigation of all accidents involving county employees and/or property resulting from department operations;

B. Establish and supervise procedures designed to discover and control hazardous conditions and unsafe work practices;

C. Inspect all properties and work areas and require reasonable correction to safety deficiencies;

D. Select and approve purchase of all safety equipment and establish safety specifications prior to purchase of other equipment of machines;

E. Establish safety requirements in addition to minimum state and local rules and regulations where deemed necessary;

F. Review all employee suggestions relating to safety to ensure compatibility with federal, state and local codes, rules and regulations;

G. Review the safety criteria on all proposed construction projects to be accomplished by private contractors;

H. Coordinate or provide training to employees in first aid, driving and other safety related specialty fields;

I. Demand immediate cessation of work around any operation or piece of equipment in which he/she believes a hazard exists creating imminent danger to the employees involved;

J. Act as liaison between the county, the State Department of Labor and Industries and the Washington Traffic Safety Commission and coordinate activities toward compliance under the Washington State Industrial Safety and Health Act and the Highway Safety Act of 1966;

- K. Coordinate the requirements of the Washington State Traffic Safety Commission within the county.
- L. Coordinate the county pre-employment physical examination program. (Ord. 12075 § 20, 1995).

2.96.010 - 2.96.040

(King County 12-2002)  
ADMINISTRATION

## **Chapter 2.96 PURCHASING\***

### **Sections:**

- 2.96.010 Administration of equipment lease and lease purchases.
- 2.96.040 Procurement of vehicles using alternative fuels.

#### **2.96.010 Administration of equipment lease and lease purchases.**

A. Administrative responsibility. The director of the finance department, as generally authorized in RCW 36.32.260, shall administer equipment lease and lease purchase agreements for all departments and offices that use the county's centralized purchasing process.

B. Conditions prerequisite to lease. It shall be county policy that such leases may be entered into if any of the following conditions exist:

1. The lease provides for use of an asset not otherwise available.
2. The lease meets a temporary need.
3. The lease provides buying and service advantages not otherwise obtainable.
4. The lease shifts unusual risks of ownership.
5. The lease is economically advantageous

C. Lease evaluation responsibility. The director shall have the following responsibilities in administering or evaluating such lease and/or lease purchase agreements for equipment:

1. The director, in conjunction with the requesting department or office, must perform a lease versus purchase cost analysis of such equipment either based on the present value and/or payback methods. Annual cost analysis will be conducted sixty days prior to the termination day for any lease considered for renewal. When the cost analysis indicates that a purchase rather than lease and/or lease purchase of equipment is in the best interest of the county and the present value differential is greater than five thousand dollars, the executive must approve the lease and provide the council with a written explanation of the reason a lease is preferred.

2. Lease of any single piece or grouping of similar equipment for the same department or identical organization with an annual rental of one thousand dollars or more must be approved by the manager of the goods and non-professional/consultant services procurement division.

3. Annual leases may be negotiated with future year options. (Ord. 12138 § 3, 1995).

#### **2.96.040 Procurement of vehicles using alternative fuels.**

A. Definitions. The following definitions shall apply in the interpretation of this section.

1. "Alcohol" means a mixture containing no less than eighty-five percent methanol, ethanol or other alcohols, in any combination, by volume.

2. "Alternative fuel" means of propulsion by other than gasoline or diesel fuel and shall include:

- a. alcohol.
- b. dual energy.
- c. electricity.
- d. natural gas.
- e. propane.

f. human powered.

3. "Director" means the director of the department of transportation.

4. "Dual Energy" means capable of being operated using an alternative fuel and gasoline or diesel fuel.

5. "Purchased" means purchased, leased, borrowed, obtained by gift or otherwise acquired.

B. Goals. The director shall ensure that at least fifty percent of the vehicles purchased by King County in 1992 shall operate using alternative fuel. At least seventy-five percent of the vehicles purchased by King County in 1993 shall operate using alternative fuel.

C. Alternatives. In order to comply with subsection B of this section, the director may purchase vehicles which are manufactured to operate on alternative fuel, convert newly purchased vehicles to operate on alternative fuel, or any combination thereof.

D. Heavy equipment. Heavy equipment which is intended solely for off-road usage and for which the implementation of this section would be infeasible is exempt from the requirements of this chapter. (Ord. 12075 § 21, 1995).

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\*See K.C.C. chapter 10.16 for recycled product procurement policy.

(King County 12-2002)

RULES OF COUNTY AGENCIES

2.98.010 - 2.98.025

## **Chapter 2.98**

### **RULES OF COUNTY AGENCIES**

#### **Sections:**

- |          |  |
|----------|--|
| 2.98.010 | Public rule making — compliance with chapter and state law — intent.                   |
| 2.98.020 | Definitions.   |
| 2.98.025 | Rules to implement policy — penalties and fees by ordinance or other law — rules to be |
|          | understandable.  |
| 2.98.030 | Rules — filing — formatting — required information.                                    |
| 2.98.060 | Notice of rule making — adoption procedures — substantial compliance.                  |
| 2.98.070 | Emergency rules or amendments.   |
| 2.98.080 | Effective date of rules.   |

**2.98.010 Public rule making — compliance with chapter and state law — intent.** In adopting rules, county departments shall comply with this chapter and applicable state law. The intent of this chapter is to ensure county departments afford the public fair notice about and reasonable access to rules and the rule-making process. (Ord. 14266 § 1, 2001; Ord. 6531 § 1, 1983; Ord. 2165 § 1, 1974).

#### **2.98.020 Definitions.** For the purpose of this chapter:

A. "Department" means executive departments and administrative offices, the sheriff's office, the department of assessments, the department of judicial administration, county boards, commissions, committees and other multimember bodies. However, "department" does not include the legislative branch and all offices established under Article 2 of the King County Charter, the hearing examiner, the board of appeals, the personnel board, the board of health, superior courts, district courts and the prosecuting attorney's office.

B. "Penalty" means a punishment established by ordinance or other law imposed as a consequence of failing to abide by or comply with the law, ordinance or a rule adopted under ordinance or other law.

- C.1. "Rule" means any department order, directive or regulation of general applicability:
- a. the violation of which subjects a person outside county employment to a penalty;
  - b. that subjects a person outside of county employment to the payment of a fee;
  - c. that establishes, alters or revokes any procedure, practice or requirement relating to a department hearing; or
  - d. that establishes, alters or revokes any qualifications or standards for the issuance, suspension or revocation of a license to pursue any commercial activity, trade or profession.
2. "Rule" includes the amendment or repeal of a prior rule, but does not include:
- a. a statement concerning only the internal management of a department and not affecting private rights or procedures available to the public;
  - b. a declaratory ruling issued in accordance with an ordinance; or

c. a traffic restriction for motor vehicles, bicyclists and pedestrians established by the director of the department of transportation or designee if an official traffic control device gives notice of the restriction. (Ord. 14266 § 2, 2001: Ord. 6531 § 2, 1983: Ord. 2165 § 2, 1974).

**2.98.025 Rules to implement policy — penalties and fees by ordinance or other law — rules to be understandable.**

A. A department may only adopt a rule under this chapter to implement an ordinance or other law. Any rule in conflict with an ordinance or other law is null and void to the extent of the conflict.

B. Penalties shall be established only by ordinance or other law. Imposition of fees and the amount of fees shall be established as authorized by ordinance or other law.

C. A department should adopt rules that are clearly and simply stated so the rules are understandable. (Ord. 14266 § 3, 2001: Ord. 6835 § 5, 1984: Ord. 6531, § 3, 1983).

2.98.030 - 2.98.060

(King County 12-2002)  
ADMINISTRATION

**2.98.030 Rules — filing — formatting — required information.**

A. A department that adopts rules shall make available to the public a description of the department's rule adoption procedures. The description shall include information on how to inquire about the department's proposed and adopted rules and public comment opportunities.

B. A department shall file proposed and adopted rules with the executive department responsible for archives and records management functions. The executive department responsible for archives and records management functions shall maintain a master list and create an index of the rules, in both written and electronic forms, for inspection, review and copying by the public.

1. The index shall include a list of public rules with reference to the rule number and the department that adopted the rule. The list shall be searchable by either subject or key words, or both.

2. The executive department responsible for archives and records management functions shall provide a copy, in writing or by electronic format, of the adopted rules to the clerk of the county council and each member of the county council and post the rules on the Internet.

C. Rules adopted by a department shall at a minimum comply with the following

1. Rules shall be reproduced on eight and one-half by eleven inch white paper;

2. Each page of a rule shall contain the name of the department adopting the rule, the subject or title of the rule, the date the rule was adopted, the effective date of the rule and the page number and total number of pages of the rule;

3. The text of the rule shall refer to the ordinance or other law upon which the rule based; and

4. if amending or repealing an existing rule, the text of the rule shall cite the existing rule

D. An amendment to a rule shall follow the same format as used in preparing the initial rule. The executive department responsible for archives and records management functions shall ensure that amended rules are reflected in the index prepared under subsection A of this section. (Ord. 14266 § 4, 2001: Ord. 6531 § 4, 1983: Ord. 2165 § 3, 1974)

**2.98.060 Notice of rule making — adoption procedures — substantial compliance.**

A.1. Prior to the adoption, amendment or repeal of any rule, each department shall give at least forty-five days' notice of its intended action by:

a. filing a notice with the executive department responsible for archives and records management functions;

b. providing, at least in writing or by electronic format, the notice to: all persons and other parties who have made timely request of the agency for advance notice of its rule-making proceedings on a specific topic; the clerk of the council; each member of the county council; and each unincorporated area council; and

c. giving public notice by one publication in the official newspaper of King County.

2. The notice shall include:

a. reference to the authority under which the rule is proposed;



b. a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved; and

c. the time, place and manner, including at least in writing or by electronic format, in which interested persons may present their views on the rule. To the extent practicable, the department should permit persons to present their views at a public meeting, according to rules established by the department.

B. The department giving the notice required in this section shall consider all comments received by the prescribed time and shall make reasonable efforts to provide written responses to the comments before the rule is adopted.

C. Adoption of a rule by a department other than a county board, commission, committee or other multimember body is accomplished by the department's director or the sheriff or assessor, for his or her respective department, signing the proposed rule. Adoption of a rule by a county board, commission, committee or other multimember body is accomplished by majority vote in favor of the rule by the members of the body, as evidenced in the approved minutes of the body, and in compliance with the Open Public Meetings Act, as applicable.

D. A rule adopted under this section is not valid unless adopted in substantial compliance with this section. In any proceeding, a rule shall not be considered invalid on the ground of noncompliance with the procedural requirements of this section if two years or more have elapsed from the effective date of the rule. (Ord. 14266 § 8, 2001: Ord. 2165 § 6, 1974).

(King County 12-2002)

RULES OF COUNTY AGENCIES

2.98.070 - 2.98.080

#### **2.98.070 Emergency rules or amendments.**

A. If the department finds that immediate adoption or amendment of a rule is necessary for the preservation of the public health, safety or general welfare, and that observance of the requirements of notice and opportunity to present views on the proposed rule would be contrary to the public interest, the department may dispense with the notice, comment and public meeting requirements of this chapter and adopt the rule or amendment as an emergency rule or amendment.

1. The department's finding and a brief statement of the reasons for its finding shall be incorporated in the emergency rule or amendment as filed with the executive department responsible for archives and records management functions.

2. An emergency rule or amendment shall not remain in effect for longer than one hundred fifty days.

3. This section does not relieve any department from compliance with any ordinance or other law requiring that the department's rules be approved by designated persons or bodies before the rules take effect.

B. An emergency rule adopted under this section is not valid unless adopted in substantial compliance with this section. In any proceeding, a rule shall not be considered invalid on the ground of noncompliance with the procedural requirements of this section if two years or more have elapsed from the effective date of the rule.

C. the executive department responsible for archives and records management functions shall provide a copy, in writing or by electronic format, of an emergency rule to the clerk of the county council and each member of the county council within three business days after the rule is filed with the executive department responsible for archives and records management functions. (Ord. 14266 § 9, 2001: Ord. 2165 § 7, 1974).

#### **2.98.080 Effective date of rules.**

A. Emergency rules adopted under K.C.C. 2.98.070 take effect upon filing with the executive department responsible for archives and records management functions. All other rules adopted under this chapter take effect thirty days after the date of filing with the executive department responsible for archives and records management functions, unless a later date is required by statute or specified in the rule.

B. The executive department responsible for archives and records management functions shall compile and index all rules adopted by each department. Compilations shall be supplemented or revised as often as necessary and at least once every year. (Ord. 14266 § 10, 2001: Ord. 2165 § 8, 1974).

2.99.010 - 2.99.030

(King County 9-2003)  
ADMINISTRATION

**Chapter 2.99**  
**FEES CHARGED BY COUNTY AGENCIES**

**Sections:**

- 2.99.010 Chapter Intent.
- 2.99.020 Definitions.
- 2.99.030 Policies.
- 2.99.040 Null and Void Fees.
- 2.99.050 Severability.

**2.99.010 Chapter Intent.** It is the intent of the King County Council to establish county policies and procedures governing the authority of county agencies to set, charge, and collect fees. (Ord. 6835 § 1, 1984).

**2.99.020 Definitions.** For the purpose of this chapter:

A. "Fee" means a charge or amount assessed by a county agency to an individual or organization as a condition of receiving service from the agency, or as a condition of a regulatory process. The term "fee" does not include charges assessed by concessionaires or other independent organizations providing services at or on county facilities; nor performance or surety bonds; nor does it include charges or assessments collected by county agencies pursuant to a contract.

B. "Regulatory Fee" means any fee charged by a county agency in the course of carrying out and enforcing statutes, ordinances, or regulations. This includes business and occupation license fees; animal license and control fees; building and land use permit fees; and any other fee for permits/licenses issued as a requirement of law.

C. "Fee-for-Service" means any fee charged by a county agency to an individual or an organization as a condition of the individual or organization receiving a service from the county. Such services include, but are not limited to, swimming and other recreational programs/activities; recording and copying of legal or other documents; criminal history checks; probation services; check disbursements; treasury services; and public defense representation.

D. "Enterprise Fund Fee" means any fee charged and collected by or on behalf of the county's enterprise funds. (Ord. 6835 § 2, 1984).

**2.99.030 Policies.** The following policies shall govern the establishment of fees and the amount of fees:

- A. Any fee for which the amount or rate is established by state statute is exempt from this chapter.
- B. King County may establish any fee, consistent with policies of this chapter, unless specifically prohibited by state statute.
- C. Any fees established by the prosecuting attorney, superior court or district court at their discretion under authority granted by state statute are exempt from this chapter.
- D. Any fees established by the county board of health under state statute are exempt from this chapter.
- E. Any fees set by the department of natural resources and parks are exempt from this chapter.
- F. Any fees set by the department of executive services for the 5th Avenue and Jefferson Street county parking lot are exempt from this chapter through June 30, 2005.
- G. The following fees and the amount of fees must be established by ordinance, unless specific administrative fee-setting authority is granted by ordinance to a county agency or official:
  - 1. Regulatory fees; and
  - 2. Enterprise fund fees.

(King County 9-2003)

#### FEES CHARGED BY COUNTY AGENCIES

2.99.030 - 2.100.010

H. For all other fees-for-service not specified in subsections A. through G. of this section, the following policies and procedures apply:

1. The executive may establish changes in the existing amounts or rates of fees-for-service and may establish new fees-for-service by submitting the proposed schedule of fee changes to the county council at the time the executive proposed annual budget is submitted. The proposed schedule of fee changes shall also be filed with the clerk of the council.

2. The proposed schedule of fee changes shall include the following information for each proposed fee change:

a. fee title and description. The description should indicate whether the proposal is a change in the amount of an existing fee or a proposed new fee.

b. proposed amount or rate. If the proposal is a change to an existing fee, both the existing amount or rate and the proposed amount or rate should be indicated.

c. effective date of the change. The date should be the first day of the next calendar year.

d. legal authority. The information should cite this chapter or a more specific ordinance or statute, if any, granting fee-setting authority.

e. reason for change. The information should indicate the reason for the change and the methodology used to determine the proposed amount or rate.

3. Following receipt of the executive proposed schedule of fee changes, the county council may enact an ordinance adopting or modifying the proposed schedule. If council action is not taken on the proposed schedule within seventy-five days of receipt, the proposed fee changes shall become effective as submitted by the executive on the first day of the calendar year following executive submittal.

4. Any changes in fees-for-service amounts or any new fees-for-service proposed by the executive at times other than that specified in this section must be submitted to the county council in the form of a proposed ordinance, and the changes shall not be effective unless enacted by ordinance.

5. The fee-for-service amounts proposed by the executive under this section shall reflect all reasonable costs of providing the service. (Ord. 14713 § 5, 2003: Ord. 14509 § 26, 2002: Ord. 6835 § 3, 1984).

**2.99.040 Null and Void Fees.** All fees not established according to the policies and procedures outlined in K.C.C. 2.99.030 shall become null and void after December 31, 1984. (Ord. 6835 § 4, 1984).

**2.99.050 Severability.** Should any section, subsection, paragraph, sentence, clause, or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 6835 § 6, 1984).

**Chapter 2.100**  
**CODE INTERPRETATIONS OF DEVELOPMENT REGULATIONS**

**Sections:**

- 2.100.010 Purpose.
- 2.100.020 Definitions.
- 2.100.030 Requests – acknowledgement – notice.
- 2.100.040 Procedure for issuance.
- 2.100.050 Administrative appeals.
- 2.100.060 Rules.
- 2.100.070 Fees.
- 2.100.900 Effective period and evaluation.

**2.100.010 Purpose.** This chapter establishes the procedure by which King County will render a formal interpretation of a development regulation. The purpose of such an interpretation includes clarifying conflicting or ambiguous provisions in King County's development regulations. (Ord. 14033 § 3, 2001).

2.100.020 - 2.100.030

(King County 9-2003)  
ADMINISTRATION

**2.100.020 Definitions.**

A. "Code interpretation" means a formal statement regarding the meaning or requirements of a particular provision in King County's development regulations.

B. "Department" means the King County department with primary responsibility for administering or implementing a particular development regulation.

C. "Development regulation" means the controls placed on development or land use activities by the county including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances and binding site plan ordinances, together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in an ordinance by the county.

D. "Director" means the director or the director's designee of the King County department with primary responsibility for administering or implementing a particular development regulation.

E. "Party of record" means a person who has submitted written comments, testified, asked to be notified or is the sponsor of a petition entered as part of the official county record on a specific development proposal. (Ord. 14033 § 2, 2001).

**2.100.030 Requests – acknowledgement – notice.**

A. A person may request a code interpretation by submitting a request in accordance with this chapter. The director may also issue a code interpretation on the director's own initiative.

B. A request for a code interpretation must be submitted in writing to the director of the department with primary responsibility administering or implementing the development regulation that is the subject of the request. If the person is uncertain as to the appropriate department to which the code interpretation request should be submitted, the person shall submit the request to the director of the department of development and environmental services, who shall make the determination and forward the request to the appropriate department, and notify the person as to which department is responsible for responding to the request.

C. A code interpretation request must:

1. Be in writing and shall be clearly labeled "Request for Code Interpretation." Failure to satisfy this requirement relieves the director of any obligation to acknowledge or otherwise process the request;

2. Identify the person seeking the code interpretation and provide an address to which correspondence regarding the requested code interpretation should be mailed;

3. Identify the specific section or sections of King County's development regulations for which an interpretation is requested;

4. Identify that parcel or site, if the code interpretation request involves a particular parcel of property or site;

5. Be accompanied by the fee required under K.C.C. 2.100.070; and

6. Be limited to a single subject, which may require interpretation of one or more code sections.

D.1. Within fifteen business days after receiving a code interpretation request, the director shall acknowledge receipt of the request. The director shall mail the acknowledgment to the person submitting the request at the address provided in the request. The acknowledgment shall include the following information, as applicable:

a. If the director determines that the code interpretation request does not contain the information required under this section, the director shall identify in the acknowledgment the deficiencies in the code interpretation request. In such a situation, the director is under no obligation to process the code interpretation request until a code interpretation request complying with this chapter is submitted;

b. If the director determines that the code interpretation request is ambiguous or unclear, the director may request that the person making the request to clarify the request. The director is under no obligation to process the code interpretation request until an adequately clarified code interpretation request is submitted;

c. The director is not obligated to further process the code interpretation request if the director determines that the code interpretation request presents substantially the same issue as is pending before an adjudicatory body, such as the King County hearing examiner; the King County council, when acting as a quasi-judicial body; any other quasi-judicial agency; or any local, state or federal court. If the director makes such a determination, the director shall so state in the acknowledgment, and the director is then under no obligation to further process the code interpretation request; and

(King County 9-2003)

#### CODE INTERPRETATIONS OF DEVELOPMENT REGULATIONS

2.100.030 - 2.100.040

d. If a code interpretation is requested regarding an issue that the director has previously addressed through a code interpretation, the director is not obligated to issue another code interpretation and shall so state in the acknowledgment required by this section and shall identify the previous code interpretation.

2. If the director determines that the code interpretation request relates to a particular parcel of property, the director shall cause notice of the code interpretation request to be given to the taxpayer of record for the subject parcel.

3. If the code interpretation request relates to a specific development project pending before the county, the director shall cause notice of the code interpretation request to be given to all parties of record for that project, including the applicant.

4. The notice required under this section must include a copy of the code interpretation request and a copy of the director's acknowledgment. Notice required under this section may be by United States mail or other appropriate method of delivery. (Ord. 14033 § 4, 2001).

#### **2.100.040 Procedure for issuance.**

A. A person may submit written analysis and supporting documentation to assist the director in analyzing a code interpretation request.

B. The director may conduct research or investigation as the director deems necessary to resolve the issue presented in the code interpretation request and may refer the request to department staff and other county staff for review and analysis.

C. The director shall determine whether the code interpretation request relates to a specific development project that is currently being reviewed by the county. If the director determines that the code interpretation request relates to such a development project, the code interpretation request shall be processed in accordance with subsection E of this section. If the director determines that the requested code interpretation does not relate to a specific development project that is currently pending before the county, the code interpretation request shall be processed in accordance with subsection F of this section.

D. A code interpretation must be in writing, clearly labeled "Code Interpretation," and describe the basis for the interpretation.

E. The director shall review a code interpretation request that is determined to relate to a specific development project that is currently pending before the county. The director shall issue a preliminary decision to the person making the request within sixty days after receiving the code interpretation request, unless the director determines that based on the unusual nature of the issue additional time is necessary to

respond to the request. If the code interpretation request relates to a specific project for which a development permit is pending before the department of development and environmental services, the code interpretation shall be issued with the department of development and environmental service's final decision on the underlying development project for a type 1 or 2 permit or with the department's recommendation on a type 3 or 4 permit.

F. If a code interpretation request is determined by the director not to relate to a specific development project that is currently pending before the county, the director shall issue the code interpretation within sixty days after the director receives the code interpretation request, unless the director determines that based on the unusual nature of the issue additional time is necessary to respond to the request.

G. The director shall maintain a list of indexed code interpretations for public inspection and post the index and code interpretations on a King County web site and transmit a copy of each code interpretation to the clerk of the King County council.

H. For each code interpretation issued under subsection E or F of this section, the director shall also mail copies of the code interpretation to the following:

1. A person who requested the code interpretation;
2. If the director determines that the code interpretation relates to a specific development project that is pending before the county, to the applicant and all other parties of record for that project. If the director determines the code interpretation relates to a specific parcel of property, the director shall send a copy of the code interpretation to the taxpayer of record for that parcel; and
3. Any person who has submitted written comments regarding the director's review of the code interpretation request.

(King County 12-2002)  
ADMINISTRATION

2.100.040 - 2.100.900

I. A code interpretation issued by the director is final and remains in effect unless rescinded in writing by the director, or modified or reversed on appeal by the hearing examiner, the King County council, or an adjudicatory body.

J. A code interpretation issued by the director governs all staff review and decisions unless withdrawn or modified by the director or modified or reversed on appeal by the King County hearing examiner, King County council, or an adjudicatory body. (Ord. 14033 § 5, 2001).

#### **2.100.050 Administrative appeals.**

A. Except as provided in subsection B of this section, the director's decision is final.

B. If the director determines that a code interpretation is necessary for review of a specific development project that is currently before the department, and the development project is subject to an administrative appeal, any appeal of the code interpretation shall be consolidated with and is subject to the same appeal process as the underlying development project. If the King County hearing examiner makes the county's final decision with regard to the underlying permit or other approval type regarding which the interpretation was requested, the hearing examiner's decision constitutes the county's final decision on the code interpretation request. If the King County council, acting as a quasi-judicial body, makes the county's final decision with regard to the underlying permit or other approval type regarding which the interpretation was requested, the King County council's decision constitutes the county's final decision on the code interpretation request. (Ord. 14033 § 6, 2001).

**2.100.060 Rules.** The director may adopt rules in accordance with K.C.C. chapter 2.98 to implement this chapter. (Ord. 14033 § 7, 2001).

**2.100.070 Fees.** A code interpretation request made under this chapter must be accompanied by payment of a fee in the amount of two hundred fifty dollars. The failure to pay the fee relieves the director of the obligation of issuing a code interpretation until the delinquency is cured. (Ord. 14033 § 8, 2001).

**2.100.900 Evaluation.** The executive shall transmit a report to the chair of the growth management and unincorporated areas committee by June 1, 2003, evaluating the effectiveness of Ordinance 14033 and recommending any necessary revisions to better carry out the intent of Ordinance 14033. (Ord. 14426 § 1, 2002; Ord. 14033 § 9, 2001).

(King County 12-2002)